



Board of Health Agenda

Date: April 5, 2023

Time: 2:00 AM

Location: Conducted by Remote Participation

1. Administrative

BOARD OF HEALTH MEETING AGENDA

Date: Wednesday, April 5, 2023

Time: 2:00pm

Location: Conducted by Remote Participation

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20 relating to the COVID-19 emergency and subsequent [Act Extending Certain COVID-19 Measures Adopted During the State of Emergency](#), the April 5, 2023 public meeting of the Arlington Board of Health shall be physically closed to the public. The meeting shall instead be held virtually using Zoom.

Public access to this meeting shall be provided in the following manner:

Real-time public comment can be addressed to the Board of Health utilizing the Zoom virtual meeting software for remote participation. This application will allow attendees to request an opportunity for public comment, and allow the Board Chair to grant attendees the opportunity for public comment. Attendees can use either phone or computer to participate in the meeting. Public comment can also be sent in advance of the meeting by emailing the Board of Health at boh@town.arlington.ma.us by no later than 5pm on April 2, 2023. Submitted public comment will be read into the record at the appropriate points in the meeting.

Zoom Login instructions:

Instructions and the meeting link for this specific meeting can be found on the Board's agenda and minutes page or on the Town's meeting calendar. The meeting registration information is listed below. When attendees enter the meeting, they will be placed into a virtual waiting room. Attendees will be admitted into the meeting from the waiting room at the start of the meeting.

Please register in advance for this meeting:

https://town-arlington-ma-us.zoom.us/join/63pzsqHdbrc_l0bX7s63v1KMLogsHP#/registration

On this agenda:

2. Acceptance of Meeting Minutes from March 8, 2023

3. HEARING:
Tobacco Violation - Arlington Smoke Shop
4. DISCUSSION:
Artificial Turf Fields
5. PRESENTATION:
Town Meeting Warrant Article 12 - Beth Melofchik
6. UPDATES:
Environmental Health
7. UPDATES:
Restaurants
8. UPDATES:
COVID-19 / Public Health Nurse

PUBLIC COMMENT

Adjourn



Town of Arlington
Department of Health and Human Services
Office of the Board of Health
27 Maple Street
Arlington, MA 02476

Tel: (781) 316-3170
Fax: (781) 316-3175

BOARD OF HEALTH MEETING MINUTES

Date: Wednesday, March 8, 2023

Time: 2:00pm

Location: Conducted by Remote Participation

In accordance with the Governor's [Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20](#) relating to the COVID-19 emergency and subsequent [Act Extending Certain COVID-19 Measures Adopted During the State of Emergency](#), the January 18, 2022 public meeting of the Arlington Board of Health shall be physically closed to the public to avoid group congregation. The meeting shall instead be held virtually using Zoom.

Public access to this meeting shall be provided in the following manner:

Real-time public comment can be addressed to the Board of Health utilizing the Zoom virtual meeting software for remote participation. This application will allow attendees to request an opportunity for public comment, and allow the Board Chair to grant attendees the opportunity for public comment. Attendees can use either phone or computer to participate in the meeting. Public comment can also be sent in advance of the meeting by emailing the Board of Health at boh@town.arlington.ma.us by no later than 5pm on March 6, 2023. Submitted public comment will be read into the record at the appropriate points in the meeting.

Zoom Login instructions:

Instructions and the meeting link for this specific meeting can be found on the [Board's agenda and minutes page](#) or on the [Town's meeting calendar](#). The meeting registration information is listed below. When attendees enter the meeting, they will be placed into a virtual waiting room. Attendees will be admitted into the meeting from the waiting room at the start of the meeting.

Please register in advance for this meeting:

<https://town-arlington-ma-us.zoom.us/meeting/register/tZlodOmqrDMrE9TlnXnnhZi-PDM-BQ6B8kNx>

On this agenda:

1. Administrative

Natasha Waden provided the following opening statement: Hello, this is Natasha Waden, Public Health Director for the Town of Arlington. Consistent with the Governor's orders suspending certain provisions of the Open Meeting Law and subsequent Act's Extending Certain COVID-19 Measures Adopted during the State of Emergency, this Town of Arlington Board of Health meeting is being held virtually via Zoom for audio and video participation of Board Members and the public. When you entered this meeting,

you were automatically muted. During this meeting you will be unmuted individually as needed. These controls are in place to ensure that today's meeting is safe and effective. At this time, I would like to confirm that all members and persons anticipated on today's agenda are present and can hear me.

Board Members, when I call your name and unmute you, please respond in the affirmative.

1. Dr. Marie Walsh Condon, Aye, Present
2. Dr. Laura White, Aye, Present
3. Dr. Peter Rice, Aye Present

Health Department staff, please respond in the affirmative when I call your name and unmute you.

1. Laura Munsey, Aye, Present
2. Jessica Kerr, Aye, Present
3. Pat Martin, Aye, Present

Applicants and Representatives, do we have anyone on the call representing a hearing or application?

Mr. Irfan Modi, Arlington Smoke Shop

Others in attendance: Dolores McGee, Marissa Perry, Ruth Trimarchi, Gina Carme, and Beth Melofchik

Thank you everyone.

As stated, this Open Meeting of the Arlington Board of Health is being conducted remotely consistent with An Act Relative to Extending Certain State of Emergency Accommodations which was signed by Governor Baker on July 16, 2022.

In order to mitigate the transmission of the COVID-19 Virus, the Town of Arlington has been advised and directed by the Commonwealth to suspend public gatherings, and as such, the Governor's Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible physical location. Further, all members of public bodies are allowed and encouraged to participate remotely.

The Order, which you can find posted with agenda materials for this meeting, allows public bodies to meet entirely remotely so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting.

Ensuring public access does not ensure public participation unless such participation is required by law. This meeting will have two public comment periods: one during the hearing, and one during the public comment period at the end of the meeting. If you would like to comment during one of the public comment periods, please use the "Raise Hand" function if on a computer, or "Dial *9" if on the phone. When your name or phone number is called, and you are unmuted, please state your name and provide your comment. All attendees will be afforded 3 minutes for any comments.

For this meeting, the Board of Health is convening by telephone and computer conference via Zoom as posted on the Town's Website identifying how the public may join.

Only Health Department staff will be able to share their screen during this meeting. Board Members and Department Staff may be participating by video conference. Accordingly, please be aware that other folks may be able to see you. Anything that you broadcast may be captured by the recording.

All of the materials for this meeting are available on the Novus Agenda dashboard, and I recommend that Board Members and the public follow the agenda as posted on Novus unless otherwise noted. Members of the public are encouraged to provide written public comments.

Before we get to today's agenda, I am going to cover some ground rules for effective and clear conduct of our business and to ensure accurate meeting minutes.

Dr. Marie Walsh Condon, the Board Chair, will introduce each agenda item. After the item is presented, she will go down the list of Board Members, inviting each by name to provide any comment, questions, or motions. Please hold comments or questions until your name is called and you are unmuted.

For any response, please wait until the Chair yields the floor to you, and state your name before speaking.

Finally, each vote taken during this meeting will be conducted by roll-call vote.

Floor yielded to Dr. Marie Walsh Condon.

Hello everyone, welcome to today's Board of Health meeting.

2. Acceptance of the January 18, 2023 Meeting Minutes

Motion made by Dr. Laura White to approve the January 18, 2023 meeting minutes as amended.

2nd by Dr. Peter Rice

Vote:

- Dr. Marie Walsh Condon, Aye
- Dr. Laura White, Aye
- Dr. Peter Rice, Aye

Approved (3-0) Unanimous

3. Hearing: Tobacco Violation – Arlington Smoke Shop

Dr. Walsh Condon would like to Table this hearing until the April Board of Health Meeting whereas the Health Compliance Officer who conducted the inspection, is not available to attend today's meeting due to a prior commitment.

Motion made by Dr. Marie Walsh Condon to Table the Hearing: Tobacco Violation for Arlington Smoke Shop until the next BOH Meeting scheduled in April.

2nd by Dr. Laura White

Vote:

- Dr. Marie Walsh Condon, Aye
- Dr. Laura White, Aye
- Dr. Peter Rice, Aye

Approved (3-0) Unanimous

The Health Department will reach out to Mr. Modi regarding the Board of Health Meeting Schedule.

4. **Discussion:** Town Meeting Warrant Articles:

Director Waden informed the Board that the Draft Warrant for the annual Town Meeting has been published and she would like to brief the Board regarding any warrant articles that may impact or be of interest to the Board of Health.

Article 6: Bylaw Amendment/Conversion of Gas Station Dispensing Pumps to Self-Service Operation.

Whereas the Sealer of Weights and Measures falls under the Department of Public Health and there is a warrant article regarding dispensing pumps to self-service operations, this may come to the attention of the Health Department/Sealer of Weights and Measures.

Article 12: Vote/Three-Year Moratorium on the Installation of Artificial Turf on Town Land.

This might be something that may come before the Board, but the Department has not been contacted by anyone regarding this warrant article to date. Director Waden informed the Board that the Warrant Article mentions the environmental impact of artificial or synthetic turf so it may be something to come before the Board prior to Town Meeting.

Article 56: Appropriation/Subsidized Compost Collection.

This Article requests a vote to subsidize the collection of compost for Arlington eating establishments situation along Massachusetts Avenue with collection carried out by the Town or through partnership with private composting organizations. This article may require involvement with the Health Department.

As a result of these warrant articles, Director Waden requested we move up the April meeting to the 1st week in April to allow Department Staff to do additional research on these topics and

see if there will be any involvement from the Health Department and see if any of these groups plan on reaching out to the Board prior to Town Meeting.

All Board of Health Members agreed to reschedule the April 12th meeting to April 5th.

5. UPDATES: Environmental Health

Inspector Martin informed the Board that the property at 1530 Mass Ave has been brought into compliance and the Poon Family will re-take the property from the "Receiver" in early April. The last court hearing is scheduled for March 30th.

During Town Meeting last year there was a vote to make changes to the town's noise bylaw. Commercial Landscapers will begin transitioning to electric powered leaf blowers this year. For the period between June 1st and September 14th commercial operators will need to use electric powered leaf blowers. They can still use gasoline powered leaf blowers from the period September 15th through December 30th and March 15th through May 31st. The transition period will extend until March 15th 2025.

The Department is working on pushing out information via social media and working with Quiet Arlington to try to reach as many people as possible.

Director Waden informed the Board there has been a lot of discussion in town, as well as in local media, that unfortunately a female eagle affiliated with Arlington has passed away. We were all saddened to learn of this information, and there has been a lot of public outcry for the banning of rodenticides.

As you might recall, last year Town Meeting put forth a Warrant Article to ban the use of rodenticides in the Town of Arlington. Town Meeting did approve that Article. As part of the legal process all Warrant Articles must go to the Attorney General's Office to be approved prior to becoming law. The town cannot enforce or follow that bylaw until the Attorney General's Office signs off on the law and says we are good to go.

That process has been stalled, because there is a bill at the state level regarding this matter, and the state is looking for a state-wide approach to this issue, therefore, Arlington's Article from last year has not been approved by the Attorney General's Office, and cannot yet be enforced by the Town.

What the Health Department continues to do annually, including in the spring season, is to educate the public regarding a variety of public health issues including: Ticks, mosquitos, sun safety and heat exhaustion and we are regularly providing educational opportunities for the Community to better protect themselves and their families. Regarding Rodent Control we have conducted rodent educational seminars, webinars, in person meetings, community meetings and notifications in neighborhoods where we are seeing an increase in activity. Our Department's message has always been with the approach to Integrated Pest Management (IPM). Integrated Pest Management is identifying and eliminating sources of food, water and

harborage for rodents. The very last resource for rodent control is to use any kind of pesticides. The Arlington Health Department was one of the first communities to implement the use of exterminating rodents through the use of dry ice. The Department has sent staff members to the rodent academy in New York City, and is well versed and trained in the area of rodent control. We have always stated that Rodent Control is a community wide issue that requires a community wide response.

The Health Department will be holding a public forum in the next month or two, and will bring the community together to discuss this topic regarding rodent control in our community. It will be our goal to bring in a variety of experts in this area to help facilitate the conversation.

There have been a lot of steps the town has taken to reduce the use of pesticides in town. For instance, as part of the Demolition Permit Application, which includes a piece on pest management, we are now asking contractors to follow an Integrated Pest Management Plan. The town discourages the use of 2nd generation pesticides, and the town recently put in place a policy that on all town properties the town will not be using 2nd generation rodenticides. If rodenticides are required, there will be a waiver process, that will have to go before the Health Department for review and information will be publically posted.

We have a lot of educational materials and information on the website and we also offer assessments of private property, where any resident can call our office and our staff will go out and assess the property, and help identify possible sources of food, water, and harborage areas for rodents. If a rodent issue is identified they can provide resources and information for the best method of handling the situation.

Regarding our business owners, we urge the use of an Integrated Pest Management Plan. The Health Department conducts multiple inspections a year with our food establishments, and at the conclusion of each inspection, the business owners will be left a pamphlet regarding rodent control, Integrated Pest Management and recommending environmentally safe options being used in discussions with their pest control company.

Dr. Rice inquired if there has been any push back from restaurants owners about IPM, or do they want to use rodenticides? Are they on board with this? Inspector Waden stated there has not been any push back but we are trying to bring to light the issue, and provide targeted information to our business owners. Where we most often see the use of rodenticide is not in the interior of food establishments, but around the exterior of the buildings, which the owners are required to maintain. We will continue to work with our establishments, to determine best methods of pest control management, and provide information they can use, when discussing the best methods with their Pest Management Company.

Dr. Laura White stated she appreciates all the efforts and found Inspector Waden's Comments very helpful.

6. UPDATES: Restaurants

Inspector Martin informed the Board Arlington has approved a new restaurant in town: Donut Villa which opened up at 319 Broadway (the former Common Ground site).

7. UPDATES: COVID-19 / Public Health Nurse

Nurse Kerr updated the Board with the following updates:

The Department continues to monitor Covid, and numbers have been going over the last few months which is promising. Additionally the Massachusetts Department of Public Health is reporting that influenza type illnesses, visits and hospitalizations are also down.

Last week the Health Department offered for residents, in partnership with Boston Children's Hospital and the Regional Center for Poison Control, a webinar that was pushed out to day care facilities, pre-schools, pediatricians, etc. This was an informative session for families and child care providers about the Poison Control Hotline and what their services are, and how they can be helpful to the community. This session was for both Arlington and Belmont residents.

Director Waden informed the Board that Public Health Nurses Jessica Kerr and David Neylan have been working very hard on getting up to speed on Prevention Services and the Prevention Services Position. The 2nd round interviews will begin next week, and as we move through this process, they have reached out to various stake holders, to collect data and information about any opioid issues in town. There will be Opioid Fund Settlements coming to town, and we are looking at our data, talking to officials, as well as individuals who have lived the experience and those that work with individuals who are struggling with substance use disorder, to come up with a plan to best utilize these funds.

We have had some different presentations, and have met with the Public schools, and received some great information. We have been working with a substance abuse coalition with Somerville, Everett and Lexington and are making some nice connections. We will be getting our data together to present our findings to the Board as well as the Public.

Additionally, the Department has been working on a Request for Proposal (RFP) for a Community Health Needs Assessment. This will be a much deeper dive into looking at what the needs are in the Arlington Community and will be based on the 10 essential public health services CDC models. We will be working with a Consultant who will help us conduct an assessment, create surveys, conduct focus groups, and analyze the data and work with our staff to come up with a Community Health Implementation Plan to identify and prioritize these key findings and bridge the gap in services. This will be a long-term project.

Dr. White inquired how the Town will put out the RFP and who we are hoping who will perform that assessment?

Director Waden stated we have reached out to other communities that have contracted these services in the past, and we will post this on COMBUYS, which is the State Affiliation and will follow all the State Guidelines for Procurement. We will also reach out to others who have done this work in the past and have experience with Community Needs Assessments.

Our goal is to move local public health into the 21st century. The blue print for public health is to look at credentialing and having some basic standards for public health. The CDC has come forth

and stated that public health accreditation is very important to keep public health infrastructure moving in the right direction.

We hope to move towards applying for National Accreditation in the future.

Dr. Peter Rice asked who you would expect to reply to this RFP?

Director Waden stated there are many companies out there that do this type of works, and we would reach out directly and inform them that the RFP has been posted. Other Communities have recently put out RFP's including Andover and Brookline and we will speak with those Communities, and measure best practices to analyze the success other communities have had in their processes. One goal of the project would also be to have this company help train our staff to become facilitators so that we can be part of the process and conduct interviews, facilitate focus groups, etc.

Dr. Rice inquired as to whom ultimately makes the decision as to who is selected.

Inspector Waden stated the Committee has not yet been assembled, and she would love input from the Board and will include the Board as part of the process.

8. PUBLIC COMMENT

Dr. Walsh Condon opened the floor to public comment. She stated that questions are assumed to be rhetorical and the Board does not answer specific questions during this time. Each individual is awarded 3 minutes to provide their comments.

Beth Melofchik, Town Meeting Member

Beth informed the Board she is the Author of Town Meeting Warrant Article # 12 regarding Artificial Turf Fields. She informed the Board she would like to come before the Board and make a presentation, and ask for their support.

She reported she sent an email to BOH@town.arlington.ma.us and it bounced back. Director Waden thanked her for bringing this to the Boards attention, and stated the town just recently changed email servers, and she will report the matter to our I.T. department.

Beth hoped the Board has been following the PFAS stories that WBUR has been broadcasting and inquired if the Board was planning on testing all public water bodies in Arlington for PFAS.

Beth additionally suggested that as part of the IPM protocols they consider the use of "owl boxes" whereas a recent article stated that raptors, owls and eagles eat 1,000 rodents per year. Owl Boxes would be nice in Whittemore Park and Uncle Sam plaza, and stated Mr. Feeney assured her that the bait boxes seen at Whittemore Park are in the process of getting removed from Uncle Sam Plaza. Also, Armstrong ambulance changed their protocols and removed their bait boxes on Friday, after being contacted by a member of the public.

Beth stated she would like to see the town develop best practices as a host community for the nesting pair of bald eagles.

Beth stated she is available to answer any questions about her Warrant Article and has many websites and slide decks, etc. to inform the Board on the health issues, and unintended consequences of artificial turf fields and the environmental issues.

Beth stated she filed the Warrant Article because she attended a working group meeting of the Draft Land Management Plan, and it became apparent that the Park and Recreation Committee wants to switch the Towns sports fields to artificial turf, and that alarmed her because she lives near the Catholic School Field on Summer Street and reported that it has been leaching tire crumb rubber for 2 years, and that gets into the conservation resource area and gets into Mill Brook.

Beth would like to make a presentation to the Board of Health at their April 5th meeting, and will reach out to Public Health Director Natasha Waden to get on the agenda.

No additional Public Comments were made.

9. Adjourn

Motion to Adjourn made by Dr. Laura White at 2:56 pm.

2nd by Dr. Peter Rice

Vote:

- Dr. Marie Walsh Condon, Aye
- Dr. Laura White, Aye
- Dr. Pete Rice, Aye
-

Approved (3-0) Unanimous

Meeting adjourned



Town of Arlington
Department of Health and Human Services
Office of the Board of Health

27 Maple Street
Arlington, MA 02476

Tel: (781) 316-3170
Fax: (781) 316-3175

MEMORANDUM

To: Board of Health
From: Annette Curbow, Health Compliance Officer
Date: March 30, 2023
RE: Arlington Smoke Shop Compliance Violations

Annette Curbow, Health Compliance Officer, visited Arlington Smoke Shop on February 24, 2023 to conduct a regular compliance check. During the inspection, Ms. Curbow observed products for sale that are not consequential to the consumption of tobacco including, but not limited to, backpacks, tote bags, lanyards and t-shirts.

The above action is in violation of the Board of Health Regulation Restricting the Sale of Tobacco Products and Nicotine Delivery Products which defines an adult-only retail tobacco store as "An establishment that does not share space with another business, that has a separate entrance, that does not sell food or alcohol, that does not have a restaurant license or lottery license, **whose only purpose is to sell or offer for retail sale tobacco products and/or tobacco product paraphernalia**, in which the entry of persons under the age of 21 is prohibited at all times, and which maintains a valid permit for the retail sale of tobacco products from the Arlington Board of Health and applicable state licenses."

Owner, Mr. Irfan Modi has been verbally advised of this requirement of his permit on numerous occasions prior to opening as well as since opening. Additionally, he has been notified in writing on the following occasions:

- July 19, 2021
- December 7, 2021
- September 20, 2022

According to the Town's REGULATION RESTRICTING THE SALE OF TOBACCO PRODUCTS AND NICOTINE DELIVERY PRODUCTS,

- a. In the case of a first violation, a fine of one hundred dollars (\$100.00) and the Tobacco and Nicotine Delivery Product Sales Permit shall be suspended for seven (7) consecutive business days.
- b. In the case of a second violation within 36 months of the date of the current violation, a fine of two hundred dollars (\$200.00) and the Tobacco and Nicotine Delivery Product Sales Permit shall be suspended for fourteen (14) consecutive business days.
- c. In the case of three or more violations within a 36 month period, a fine of three hundred dollars (\$300.00) and the Tobacco and Nicotine Delivery Product Sales Permit shall be suspended for thirty (30) consecutive business days.**

In addition to the above violation, Arlington Smoke Shop was issued a Correction Orders on October 13, 2022, for offering flavored nicotine products, and on September 20, 2022, for offering products for sale that are not consequential to the consumption of tobacco, and November 2, 2022 for the presence of a person younger than 21 years of age.

Enclosed please find the following items:

1. Copy of the correction order dated 3/2/2023
2. Copy of the correction order dated 11/2/2022
3. Copy of the correction order dated 10/13/2022
4. Copy of the correction order dated 9/20/2022
5. Copy of electronic mail communications dated 12/7/2021
6. Copy of electronic mail communications dated 7/19/2021



Town of Arlington
Department of Health and Human Services
Office of the Board of Health
27 Maple Street
Arlington, MA 02476

Tel: (781) 316-3170
Fax: (781) 316-3175

Correction Order

March 2, 2023

HAND DELIVERED

Arlington Smoke Shop
Attn: Irfan Modi and Pooja Modi
914 Massachusetts Avenue
Arlington, MA 02476

Please be advised that on February 24, 2023, Annette Curbow, Health Compliance Officer, conducted a compliance check of your establishment. Ms. Curbow observed non-tobacco related products including, but not limited to, backpacks, tote bags, lanyards, and t-shirts for sale.

Arlington Smoke Shop violated the Board of Health Regulation Restricting the Sale of Tobacco Products and Nicotine Delivery Products by:

- ☐ Sale of tobacco product to a person under the Minimum Legal Sales Age;
- ☐ Sale of a flavored nicotine delivery tobacco product [flavored combustible and other traditional tobacco products are prohibited on and after June 1, 2020];
- ☐ Offered for sale a flavored nicotine delivery product [see above];
- ☐ Failure of a non-age restricted establishment to maintain a record from the manufacturer indicating that an unflavored nicotine delivery product has a nicotine content of 35 milligrams per milliliter or less;
- ☒ **Other, see the below additional violation(s), with any necessary additional pages attached:**

Adult-Only Retail Tobacco Store (also known as "Retail Tobacco Store" in MGL Ch. 270): An establishment that does not share space with another business, that has a separate entrance, that does not sell food or alcohol, that does not have a restaurant license or lottery license, **whose only purpose is to sell or offer for retail sale tobacco products and/or tobacco product paraphernalia**, in which the entry of persons under the age of 21 is prohibited at all times, and which maintains a valid permit for the retail sale of tobacco products from the Arlington Board of Health and applicable state licenses. Entrance to the establishment must be secure so that access to the establishment is restricted to employees and to those 21 years or older. The establishment shall not allow anyone under the age of 21 to work at the establishment.

You are hereby ordered to comply with Board of Health Regulation Restricting the Sale of Tobacco Products and Nicotine Delivery Products. In addition, the following fines and actions apply against

Arlington Smoke Shop for violations of 105 CMR 665.000 and Board of Health Regulation Restricting the Sale of Tobacco Products and Nicotine Delivery Products:

Violation of Local Regulations

- ☐ In the case of a first violation, a fine of one hundred dollars (\$100.00) and the Tobacco and Nicotine Delivery Product Sales Permit shall be suspended for seven (7) consecutive business days.
- ☐ In the case of a second violation within 36 months of the date of the current violation, a fine of two hundred dollars (\$200.00) and the Tobacco and Nicotine Delivery Product Sales Permit shall be suspended for fourteen (14) consecutive business days.
- ☒ **In the case of three or more violations within a 36 month period, a fine of three hundred dollars (\$300.00) and the Tobacco and Nicotine Delivery Product Sales Permit shall be suspended for thirty (30) consecutive business days.**
- ☐ Fifth violation within a 36-month period from the first violation or additional violations during that time period: a fine of three hundred dollars (\$300.00) and the Tobacco and Nicotine Delivery Product Sales Permit shall be suspended for thirty (30) consecutive business days.

You are hereby ordered to pay the amount of **\$300.00** by check or money order made payable to the Town of Arlington within twenty-one (21) days of receipt of this order to the address below:

Arlington Board of Health
27 Maple Street
Arlington, MA 02476

You are hereby ordered to attend a Board of Health hearing on **Wednesday, March 8th, 2022 at 2:00 PM**. This hearing will be held to determine any further enforcement proceedings, including the possible suspension of your permit. The meeting will be conducted online via remote participation. A link to register for the meeting will be forthcoming.

Failure to comply with this order may result in additional penalties as permitted by law.

Signed by:



Name:

March 1, 2023

Date:

Annette Curbow, MPH
Lead Health Compliance Officer
Town of Arlington
27 Maple Street
Arlington, MA 02476



Town of Arlington
Department of Health and Human Services
Office of the Board of Health
27 Maple Street
Arlington, MA 02476

Tel: (781) 316-3170
Fax: (781) 316-3175

Correction Order

November 2, 2022

HAND DELIVERED

Arlington Smoke Shop
Attn: Irfan Modi and Pooja Modi
914 Massachusetts Avenue
Arlington, MA 02476

Please be advised that on October 13, 2022, Padraig Martin, Lead Health Compliance Officer, visited your establishment and observed an individual under the age of 21 in the store. The clerk informed Mr. Martin that the underage individual is her daughter and comes to work with her.

Arlington Smoke Shop violated the state law entitled "An Act to Modernize Tobacco Control", 105 CMR 665.000, and the Board of Health Regulation Restricting the Sale of Tobacco Products and Nicotine Delivery Products by:

- ☐ Sale of tobacco product to a person under the Minimum Legal Sales Age;
- ☐ Sale of a flavored nicotine delivery tobacco product [flavored combustible and other traditional tobacco products are prohibited on and after June 1, 2020];
- ☐ Offered for sale a flavored nicotine delivery product [see above];
- ☐ Failure of a non-age restricted establishment to maintain a record from the manufacturer indicating that an unflavored nicotine delivery product has a nicotine content of 35 milligrams per milliliter or less;
- ☒ **Other, see the below additional violation(s), with any necessary additional pages attached:**

Retail Tobacco Store means an establishment which is not required to possess a retail food permit whose primary purpose is to sell or offer for sale to consumers, but not for resale, tobacco products and paraphernalia, in which the sale of other products is merely incidental, and in which the **entry of persons younger than 21 years of age is prohibited at all times**, and maintains a valid permit for the retail sale of tobacco products as required to be issued by the appropriate authority in the city, town, or other legally constituted governmental unit within the Commonwealth where the establishment is located.

You are hereby ordered to comply with An Act to Modernize Tobacco Control, 105 CMR 665.000, and Board of Health Regulation Restricting the Sale of Tobacco Products and Nicotine Delivery Products. In addition, the following fines and actions apply against Arlington Smoke Shop for violations of 105 CMR 665.000 and Board of Health Regulation Restricting the Sale of Tobacco Products and Nicotine Delivery Products:

- ☐ First violation: a fine of one thousand dollars (\$1000.00) and the Tobacco and Nicotine Delivery Product Sales Permit shall be suspended for seven (7) consecutive business days;
- ☒ **Second violation within a 36-month period from the first violation: a fine of two thousand dollars (\$2000.00) and the Tobacco and Nicotine Delivery Product Sales Permit shall be suspended for fourteen (14) consecutive business days;**
- ☐ Third violation within a 36-month period from the first violation or additional violations during that time period: a fine of five thousand dollars (\$5000.00) and the Tobacco and Nicotine Delivery Product Sales Permit shall be suspended for thirty (30) consecutive business days.
- ☐ Fourth violation within a 36-month period from the first violation or additional violations during that time period: a fine of five thousand dollars (\$5000.00) and the Tobacco and Nicotine Delivery Product Sales Permit shall be suspended for thirty (30) consecutive business days.

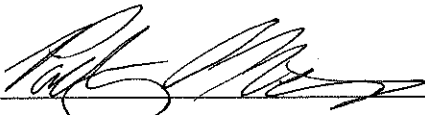
You are hereby ordered to pay the amount of **\$2,000.00** by check or money order made payable to the Town of Arlington within twenty-one (21) days of receipt of this order to the address below:

Arlington Board of Health
27 Maple Street
Arlington, MA 02476

You are hereby ordered to attend a Board of Health hearing on **Wednesday, November 16th, 2022 at 5:00 PM**. This hearing will be held to determine any further enforcement proceedings, including the possible suspension of your permit. The meeting will be conducted online via remote participation. A link to register for the meeting will be forthcoming.

Failure to comply with this order may result in additional penalties as permitted by law.

Signed by:


Name: _____

11/2/2022
Date: _____

Padraig Martin, REHS
Lead Health Compliance Officer
Town of Arlington
27 Maple Street
Arlington, MA 02476



Town of Arlington
Department of Health and Human Services
Office of the Board of Health
27 Maple Street
Arlington, MA 02476

Tel: (781) 316-3170
Fax: (781) 316-3175

Correction Order

October 13, 2022

HAND DELIVERED

Arlington Smoke Shop
Attn: Irfan Modi and Pooja Modi
914 Massachusetts Avenue
Arlington, MA 02476

Please be advised that on September 29, 2022, Rotem Aloni, Agent of the Board of Health, conducted an inspection of your establishment. Ms. Aloni observed flavored nicotine product (Whiskey nicotine liquid) available for purchase at the time of inspection.

Arlington Smoke Shop violated the state law entitled "An Act to Modernize Tobacco Control", 105 CMR 665.000, and the Board of Health Regulation Restricting the Sale of Tobacco Products and Nicotine Delivery Products by:

- ☐ Sale of tobacco product to a person under the Minimum Legal Sales Age;
- ☐ Sale of a flavored nicotine delivery tobacco product [flavored combustible and other traditional tobacco products are prohibited on and after June 1, 2020];
- ☒ Offered for sale a flavored nicotine delivery product [see above];
- ☐ Failure of a non-age restricted establishment to maintain a record from the manufacturer indicating that an unflavored nicotine delivery product has a nicotine content of 35 milligrams per milliliter or less;
- ☐ Other, see the below additional violation(s), with any necessary additional pages attached:

You are hereby ordered to comply with An Act to Modernize Tobacco Control, 105 CMR 665.000, and Board of Health Regulation Restricting the Sale of Tobacco Products and Nicotine Delivery Products. In addition, the following fines and actions apply against Arlington Smoke Shop for violations of 105 CMR 665.000 and Board of Health Regulation Restricting the Sale of Tobacco Products and Nicotine Delivery Products:

- ☒ First violation: a fine of one thousand dollars (\$1000.00) and the Tobacco and Nicotine Delivery Product Sales Permit shall be suspended for seven (7) consecutive business days;
- ☐ Second violation within a 36-month period from the first violation: a fine of two thousand dollars (\$2000.00) and the Tobacco and Nicotine Delivery Product Sales Permit shall be suspended for fourteen (14) consecutive business days;
- ☐ Third violation within a 36-month period from the first violation or additional violations during that time period: a fine of five thousand dollars (\$5000.00) and the Tobacco and Nicotine Delivery Product Sales Permit shall be suspended for thirty (30) consecutive business days.
- ☐ Fourth violation within a 36-month period from the first violation or additional violations during that time period: a fine of five thousand dollars (\$5000.00) and the Tobacco and Nicotine Delivery Product Sales Permit shall be suspended for thirty (30) consecutive business days.

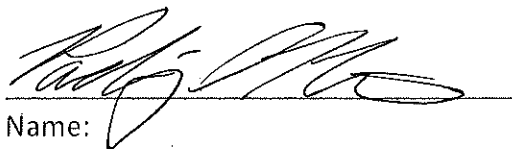
You are hereby ordered to pay the amount of **\$1,000.00** by check or money order made payable to the Town of Arlington within twenty-one (21) days of receipt of this order to the address below:

Arlington Board of Health
27 Maple Street
Arlington, MA 02476

You are hereby ordered to attend a Board of Health hearing on **Wednesday, October 19th, 2022 at 5:00 PM**. This hearing will be held to determine any further enforcement proceedings, including the possible suspension of your permit. The meeting will be conducted online via remote participation. A link to register for the meeting will be forthcoming.

Failure to comply with this order may result in additional penalties as permitted by law.

Signed by:


Name:

10/13/2022
Date:

Padraig Martin, REHS
Lead Health Compliance Officer
Town of Arlington
27 Maple Street
Arlington, MA 02476



Town of Arlington
Department of Health and Human Services
Office of the Board of Health
27 Maple Street
Arlington, MA 02476

Tel: (781) 316-3170
Fax: (781) 316-3175

Correction Order

September 20, 2022

HAND DELIVERED

Arlington Smoke Shop
Attn: Irfan Modi
914 Mass Ave
Arlington, MA 02474

Please be advised that on September 19, 2022, Health Compliance Officers Annette Curbow and Cameron Bishop performed a compliance check at Arlington Smoke Shop. Ms. Curbow and Mr. Bishop observed products for sale that are not consequential to the consumption of tobacco. For example, the following products were observed for sale: incense, candles, mugs, room deodorizers. Please note, this is not an exhaustive list of all non-tobacco related products for sale.

Arlington Smoke Shop violated the Board of Health Regulation Restricting the Sale of Tobacco Products and Nicotine Delivery Products by:

- ☐ Sale of tobacco product to a person under the Minimum Legal Sales Age;
- ☐ Sale of a flavored nicotine delivery tobacco product [flavored combustible and other traditional tobacco products are prohibited on and after June 1, 2020];
- ☐ Offered for sale a flavored nicotine delivery product [see above];
- ☐ Failure of a non-age restricted establishment to maintain a record from the manufacturer indicating that an unflavored nicotine delivery product has a nicotine content of 35 milligrams per milliliter or less;
- ☒ **Other, see the below additional violation(s), with any necessary additional pages attached:**

Adult-Only Retail Tobacco Store (also known as "Retail Tobacco Store" in MGL Ch. 270): An establishment that does not share space with another business, that has a separate entrance, that does not sell food or alcohol, that does not have a restaurant license or lottery license, **whose only purpose is to sell or offer for retail sale tobacco products and/or tobacco product paraphernalia**, in which the entry of persons under the age of 21 is prohibited at all times, and which maintains a valid permit for the retail sale of tobacco products from the Arlington Board of Health and applicable state licenses. Entrance to the establishment must be secure so that

access to the establishment is restricted to employees and to those 21 years or older. The establishment shall not allow anyone under the age of 21 to work at the establishment.

You are hereby ordered to remove all products which are not used for the purposes of consuming tobacco from the premises within seven (7) days of receipt of this letter. Failure to comply with this order letter may result in fines, suspensions and a hearing before the Board of Health.

Failure to comply with this order may result in additional penalties as permitted by law.

Signed by:

A handwritten signature in black ink, appearing to read 'Annette Curbow', with a large, stylized loop at the end.

Name:

September 20, 2022

Date:

Annette Curbow, MPH
Health Compliance Officer
Town of Arlington
27 Maple Street
Arlington, MA 02476

Annette Curbow

Subject: RE: (Archive Copy) Re: Arlington Smoke Shop and CBD

Hello Mr. Leone,

Thank you for reaching out. The prohibition on the sale of CBD products is due to our local Regulations Restricting the Sale of Tobacco and Nicotine.

Arlington Smoke Shop is currently permitted as an "Adult Only Retail Tobacco Store" with the Town of Arlington. As defined in the local regulation, Adult-Only Retail Tobacco Store is "an establishment that does not share space with another business, that has a separate entrance, that does not sell food or alcohol, that does not have a restaurant license or lottery license, whose only purpose is to sell or offer for retail sale tobacco products and/or tobacco product paraphernalia".

By definition, Mr. Modi's Adult-Only Retail Tobacco Store permit prohibits the sale of CBD or any other non-tobacco products at the store. I am are happy to set-up a Zoom call with you and Mr. Modi to further explain the regulation as it relates to his Adult-Only Retail Tobacco Store permit as well as what options are available to Mr. Modi. When Mr. Modi was applying for the permit, we did review the options together.

If you would like to set up a Zoom call, I am available the following times:

Wednesday, December 7, 2021 - 2:00 pm

Thursday, December 8, 2021 - 10:30 am

Thursday, December 8, 2021 - 2:00 pm

Friday, December 9, 2021 - 10:00 am

If these times do not work for you, please let me know an alternate time that is best for you.

Best

Annette Curbow, MPH

Health Compliance Officer

Town of Arlington

27 Maple Street

Arlington, MA 02476

(781) 316-3170

www.arlingtonma.gov

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From: "John D. Leone" <John@Leonelaw.com>
To: "'Annette Curbow'" <ACurbow@town.arlington.ma.us>
Cc: <boh@town.arlington.ma.us>, "'Irfan Modi'"
<arlingtonsmokeshopma@gmail.com>
Date: Tue, 7 Dec 2021 16:49:34 -0500
Subject: Arlington Smoke Shop and CBD

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Dear Ms. Curbow, I have been working with Irfan regarding the town's position of not allowing him to sell CBD oils. In that regard we have spoken to the Massachusetts Department of Agricultural Resources and they assured us that there is NO license requirement or permit necessary to sell CBD oil or products. Please see the email exchange below.

We wish to request that you reconsider your denial of his

ability to sell these products. If necessary we are willing to appear before the Board of Health to request that their policy be changed to allow the sale of the produces in compliance with state law. How do we do so.

John D. Leone

Leone & Leone

637 Massachusetts Avenue

Arlington, MA. 02476

781-648-2345

From: Irfan Modi <arlingtonsmokeshopma@gmail.com>
Sent: Sunday, September 19, 2021 3:35 PM
To: john@leonelaw.com
Subject: Fwd: CBD

----- Forwarded message -----

From: Grubin, Sarah (AGR) <sarah.grubin@state.ma.us>
Date: Fri, 17 Sep, 2021, 12:43 pm
Subject: RE: CBD
To: Irfan Modi <arlingtonsmokeshopma@gmail.com>
Cc: Burgess, Jessica (AGR) <jessica.burgess@state.ma.us>

Good afternoon Irfan,

Thank you for reaching out to the MA Hemp Program. I recommend checking out our website as a starting point for more information:
<https://www.mass.gov/industiral-hemp-program>

The MDAR Hemp Program has a Policy Statement regarding the sale of

Hemp-Derived Products in the Commonwealth and there are limitations on what can and can't be sold in MA. A license is not required to sell hemp products at retail, however, items such as food and beverage products that contain CBD are prohibited. The sale of hemp flower to a consumer is also prohibited. The laws pertaining to the allowable uses of hemp and CBD are under the jurisdiction of the FDA and/or the MA Department of Public Health and local Boards of Health. For more information about allowable uses of hemp, please visit:
<https://www.fda.gov/news-events/public-health-focus/fda-regulation-cannabis-and-cannabis-derived-products-questions-and-answers>

For more general questions about the MA Hemp Program, I recommend checking out our website: <https://www.mass.gov/industrial-hemp-program> and the FAQs: <https://www.mass.gov/guides/hemp-in-massachusetts-faqs>

Sarah M. Grubin

Hemp Program Coordinator

[mass.gov/industrial-hemp-program](https://www.mass.gov/industrial-hemp-program)

mahemp@mass.gov

pronouns: she, her

From: Burgess, Jessica (AGR) <jessica.burgess@mass.gov>
Sent: Friday, September 17, 2021 12:31 PM
To: Irfan Modi <arlingtonsmokeshopma@gmail.com>
Cc: Grubin, Sarah (AGR) <sarah.grubin@mass.gov>
Subject: RE: CBD

Irfan:

Thanks for reaching out. I am copying Sarah Grubin, our Hemp Program Coordinator, who can answer questions related to licensing and retail sales. You can also find more information about the state's Hemp Program on our website: <https://www.mass.gov/industrial-hemp-program>

I should note, however, the sale of hemp flower or plant material to anyone who does not hold a MA Grower or Processor license is prohibited in the Commonwealth. This means that hemp flower or plant material cannot be sold directly to a consumer, regardless of age.

Thank you.

Jessica

Jessica H. Burgess, Esq.

Legal Counsel

Massachusetts Department of Agricultural Resources

251 Causeway Street, Suite 500

Boston, MA 02114

Jessica.Burgess@mass.gov

617-626-1722 (office)

617-939-6627 (mobile)

617-626-1850 (fax)

From: Irfan Modi <arlingtonsmokeshopma@gmail.com>
Sent: Friday, September 17, 2021 12:09 PM
To: Burgess, Jessica (AGR) <jessica.burgess@mass.gov>

Subject: CBD

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hello jessica ,

I have a smoke shop in Arlington Mass its 21+ only tobacco Store i want to sell CBD products like Flower , lotion , tincture etc do i need specific permit from the department of agriculture for that ? As every smoke shop sells them please help you with this i will really appreciate it thank you

Annette Curbow

Subject: RE: (Archive Copy) Re: Tobacco Retailer Training

On Mon, 19 Jul, 2021, 4:49 pm Irfan Modi, <arlingtonsmokeshopma@gmail.com> wrote:

Hi Annette ,

You were really helpful today ! Thanks for the list and your reply i will read them well and get back to you if i have any questions and will keep you posted on the date of opening

On Mon, 19 Jul, 2021, 3:26 pm Annette Curbow, <ACurbow@town.arlington.ma.us> wrote:

>>>> Hello Irfan,

It was nice meeting you this afternoon. Please find attached the Arlington Tobacco Regulations as well as a list of flavored tobacco products. Please note that this list was last updated on December 18,2019 and is not a comprehensive list.

Below I have provided answers to your questions from today:

Can a smoke shop sell flavored papers?

No. 105 CMR 665.010 and the Arlington Tobacco Regulations prohibit the sale of flavored tobacco products defined as "any tobacco product or component part thereof that contains a constituent that has or produces a characterizing flavor. Papers are considered a "component part" and flavoring of these are therefore prohibited.

Can a smoke shop sell CBD products?

No. In the Arlington Tobacco Regulations, an Adult-Only Retail Tobacco store is defined in part as "An establishment that does not share space with another business, that has a separate entrance, that does not sell food or alcohol, that does not have a restaurant license or lottery license, whose only purpose is to sell or offer for retail sale tobacco products and/or tobacco product paraphernalia..."

Can a smoke shop sell lottery tickets?

No. In the Arlington Tobacco Regulations, an Adult-Only Retail Tobacco store is defined in part as "An establishment that does not share space with another business, that has a separate entrance, that does not sell food or alcohol, that does not have a restaurant license or lottery license, whose only purpose is to sell or offer for retail sale tobacco products and/or tobacco product paraphernalia..."

Is there a waiting or notification list for when additional tobacco retail permits become available?

No. Tobacco retail permits are on a first-come-first-serve basis. Applications for new retail tobacco locations will not be accepted until such time a permit becomes available.

Can free t-shirts be given out to customers?

No. In the Arlington Tobacco Regulations, an Adult-Only Retail Tobacco store is defined in part as "An establishment that does not share space with another business, that has a separate entrance, that does not sell food or alcohol, that does not have a restaurant license or lottery license, whose only purpose is to sell or offer for retail sale tobacco products and/or tobacco product paraphernalia..." The provision of t-shirts to customers has been found not to fit this definition.

Can discounts be offered on glass and accessories?

Yes.

If you have any additional questions, don't hesitate to reach out. When you are closer to being ready to open, give us a call to schedule your inspection.

Best,

Annette Curbow, MPH

Health Compliance Officer

Town of Arlington

27 Maple Street

Arlington, MA 02476

(781) 316-3170

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From: Irfan Modi <arlingtonsmokeshopma@gmail.com>

To: Annette Curbow <ACurbow@town.arlington.ma.us>

Date: Thu, 15 Jul 2021 15:15:22 -0400

Subject: Re: Tobacco Retailer Training

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>>>> Monday 1 pm works for me as we decided over the phone

>>>>

>>>>

>>>> Thanks

>>>>

>>>> On Thu, 15 Jul, 2021, 11:47 am Annette Curbow, <

>>>> ACurbow@town.arlington.ma.us> wrote:

>>>>

>>>>> Hello Irfan,

>>>>>

>>>>> It was nice speaking with you today. We will be holding the

>>>>> training in-person at 27 Maple Street. Our offices are located on the second floor.

>>>>>

>>>>> The building is under construction, but you can still enter and

>>>>> take either the stairs or elevator to the second floor. Our doors

>>>>> are locked, but if you call me at 781-316-3174 when you arrive, I

>>>>> will come out to meet you. While you are required to take the

>>>>> training, we encourage any other staff members who are interested in participating.

>>>>>

>>>>> At the time of the training, we'll also have all the required

>>>>> signage available for you.

>>>>>

>>>>> Please let me know if you have any questions!

>>>>>

>>>>> *Annette Curbow, MPH*

>>>>> Health Compliance Officer

>>>>> Town of Arlington

>>>>> 27 Maple Street
>>>>> Arlington, MA 02476
>>>>> (781) 316-3170
>>>>> https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.arlingtonma.gov&c=E,1,93EgCFi5Wg34a4SqVsyCeEQXH6lms2E1o4G7jvvuXBeHuD1cBz_2Rk_vB7yri707WRqfLdFGbi-Pu00CHTYQaeAAVR9hnXIIEQv_758h5ESAv29_HKpL-B3GaA8U,&typo=1
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Town of Arlington
Department of Health and Human Services
Office of the Board of Health
27 Maple Street
Arlington, MA 02476

Tel: (781) 316-3170
Fax: (781) 316-3175

Memo

To: Arlington Board of Health Members

From: Natasha Waden, Public Health Director

Date: March 30, 2023

RE: Artificial Turf Fields

The Board of Health is being asked to provide insight and guidance on issues related to environmental health concerns associated with artificial turf fields in Arlington. As such, I have organized this memo into various sections to outline the events that have led to this discussion. The outline includes background information on the situation, a brief history of the property which has been at the center of this ongoing discussion, a summary of the positions/concerns of the Commissions/Departments involved, and finally a summary of the most recent events that have led to a request for input from the Board of Health. Additionally, you will find various links throughout this memo which will provide you with additional background information, should you like to reference it. This memo and topic will be discussed at length at our next meeting on April 5th. During this meeting, I will be asking the Board to generate a statement about this matter that can be shared at a public meeting in May.

Background:

Belmont Hill School, located 350 Prospect Street in Belmont has expressed interest in purchasing land known as Saint Camillus Parish/Property Lot 1A off of Dow Ave. in Arlington. This area is often referred to as Poet's Corner. The referenced property consists of a parking lot, playing field, and playground which also abut a wetland resource area. Belmont Hill is interested in remodeling the area and installing an artificial turf field for their athletic teams to use. My understanding is that the property belongs to both the Town of Arlington and Archdiocese of Boston (on behalf of St. Camilla's Church). Although discussions are ongoing and nothing has been finalized, Belmont Hill School has indicated that when the proposed turf field is not in use for their purposes, the field would be available to the Town of Arlington for recreation and athletic opportunities managed by the Recreation Department.

Concurrently, the Conservation Commission (ConCom) who has the jurisdiction over wetlands in Town has been in the process of updating their Wetland Protection Bylaw and has expressed interest in prohibiting the installation of artificial turf fields in areas under their jurisdiction due to environmental concerns. This issue has raised concerns among the Arlington Recreation Commission/Recreation Department and user groups, as the prohibition could prevent the installation of artificial turf at this location and potentially other locations in Town. As such, the Recreation Department/Commission has

hired an environmental consultant to represent them and present information to ConCom to dispute claims that artificial turf fields have adverse effects on wetland resource areas and negative impacts on climate resilience.

For your review, additional materials regarding the ongoing discussions about artificial turf impacts and a [video recording](#) of the January 5th ConCom meeting, where both commissions present their concerns can be found [here](#).

More supporting materials related to the subject can also be found in various meeting agenda packets on the [Conservation Commission website](#); however, I have provided links below to what I believe to be the most relevant information to understand the current position.

History of Poets Corner:

Poet's Corner is currently composed of a parking lot, playground, field, and walking area that is situated in a neighborhood off of Route 2.

The following information was obtained in reviewing the [Response Action Outcome Class B-1 that was compiled by DeRosa Environmental Consulting](#):

The Archdiocese acquired the land on December 26, 1956 and received a letter from the MADEP/NERO in April of 1992 which designated the disposal site as a Location to be Investigated (LTBI). Subsequently, the Archdiocese received another letter in June of 1997 with a deadline for the site to be investigated and a requirement to either be Tier Classified or to provide a Response Action Outcome (RAO) Statement by August of the same year. The Archdiocese of Boston submitted their Phase 1 and NRS Scoresheet on August 10, 1997. According to the Massachusetts Contingency Plan Regulations (MCP), the Archdiocese of Boston was required to submit a Phase II Report with two (2) years of the effective date of Tier Classification.

The disposal site is tracked by the MADEP as RTN: 3-0003952 and can be found [here](#).

The property was operated by the Town of Arlington as a municipal landfill in the early 1950s and has remained vacant since sometime in the 1960s.

The landfill was said to have been covered with approximately 4 to 6 feet of sand and gravel and then loamed and seeded. Attempts were made to pave a portion of the property and use it as a parking area, however the disproportionate settling and decay of organic matter has resulted in an uneven surface over the parking area and is consequently not often used for its intended purpose.

The limits of the fill vary across the site and ranged from approximately 4 feet to 20 feet of fill material. Analytical data reported from soils collected during the GeoProbe investigation indicate that municipal fill material consists of glass, brick, construction debris, newspapers, magazines, books, wood, pottery shards, coal, ash and other miscellaneous household trash items.

Ultimately, the subsurface investigation of the property determined that the disposal site met or was less than the remedial standards established by Mass Department of Environmental Protection Agency and did not pose a significant risk to public health, safety, welfare and/or the environment at that time. Therefore, in 2000, no remedial work was required at the property under the MCP.

Any additional development or changes to the property at this point would be subject to additional environmental review and likely include additional testing for various contaminants. As such, renovations to the area would likely include additional mitigation measures to ensure compliance with the MCP.

Conservation Commission:

As mentioned, the ConCom has state authority and jurisdiction over wetlands and resource areas in the Town of Arlington. As such, they enforce Arlington's Wetlands Protection Bylaw. The purpose of the Bylaw is "to protect the wetlands, water resources, and adjoining land areas in Arlington by controlling activities deemed by the ConCom likely to have a significant or cumulative effect upon resource area values, including but not limited to, the following: ground water supply, flood control, prevention of pollution, wildlife protection, plant or wildlife habitat, aquatic species and their habits, and the natural character or recreational values of the wetland resources".

While there are a variety of revisions that the ConCom is looking to make to their bylaw, it is the prohibition of artificial turf fields in resource areas under their purview that has sparked a significant amount of discussion in the community.

Over the years, the ConCom has granted permits to and monitored projects that have included artificial turf playing fields, such as the Arlington High School and Arlington Catholic High School. Ms. Susan Chapnick, member of the ConCom, provided a statement and supporting documentation to the ConCom at a public meeting in December which can be found [here](#). Ms. Chapnick stated: "It is my opinion that the current weight-of-evidence points to adverse effects on wetland resource areas and resource area values from Artificial Turf Fields and negative climate resilience impacts".

In her statement, Ms. Chapnick references several studies and discussed 6 adverse impacts of concern which I have shared below:

Chemical pollution: migration through leaching, airborne dust, volatilization, and physical migration of infill particles. Chemicals mentioned include zinc, lead, polyaromatic hydrocarbons (PAHs), phthalates, volatile organic compounds (VOC's), and per and polyfluoroalkyl substances (PFAS).

Heat Effects: plastics in artificial turf fields exacerbate heat stress in already stressed urban resource areas of town.

Plastic Pollution: synthetic particles migrate into resource areas, resulting in plastic and microplastic pollution.

Particulate pollution: crumb rubber infill routinely migrates from older fields into the surrounding resource areas (as seen next to Mill Brook at the Arlington Catholic artificial turf field).

Climate change resilience impacts: heat stress negatively impacts wildlife habitat values, increased pollutant loads from increased surface runoff and infill particulate migration, loss of carbon sequestration as a climate resilience strategy, limited useful lifespan (8-10 years) generates additional, recurrent installation impacts on resource areas.

Adverse impacts on wildlife habitat and resource area values: toxicity to aquatic life, loss of natural soil and natural grass habitat for insects and other invertebrates (especially burrowing organisms), limited foraging and prey availability for birds and small mammals, loss of pollinator use, disrupted habitat connectivity, and impacts to species composition and the water cycle owing to extreme heat.

Recreation Department/ Park and Recreation Commission:

There are many parks, playgrounds and fields in the Town of Arlington that abut wetland resource areas, as such, the Park and Recreation Commission regularly work in conjunction with the ConCom to ensure compliance with Arlington's Wetland Protection Bylaw.

In a statement to the ConCom from the Park and Recreation Commission, they describe that they [Park and Rec] are tasked with creating, maintaining, and improving both passive and active recreational opportunities for the community that are inclusive, diverse and multi-generational. They further explain that there is well-documented desire from user groups in the community to have lighted artificial turf fields in Arlington.

In response to Ms. Chapnick's statement and the ConCom's interest in prohibiting artificial turf fields, the Arlington Park and Recreation Commission has hired Laura Green, Ph. D, D.A.B.T, from Green Toxicology LLC to dispute the environmental concerns outlined by Ms. Chapnick.

Ms. Green's statement as well as a statement from the Park and Rec Commission can be found [here](#), however, below is a summary of Ms. Green's responses as they pertain to Ms. Chapnick's statement:

Chemical Pollution: chemicals such as zinc, lead, PAHs, and others contaminants, either naturally occurring from breakdown of rocks whence the soils came, or deposited from outdoor air and other sources are present in all topsoil (in Arlington and elsewhere). Such topsoil's are part of natural grass fields and playgrounds. PFAS of environmental concern (such as the six, specific, PFAS regulated in groundwater by MADEP, aka PFAS6) are not detectable in manufactured turf, even as they are typically detectable in "background" topsoil's throughout Massachusetts and elsewhere. The only PFAS used, to their knowledge, at small (part per million) concentrations, are in the manufacturing of extruded polyethylene in the polymer processing aid, PVDF-HFP. This polymer, like most such plastic polymers, is not soluble in water, not volatile in air, and environmentally and biologically inert.

Heat effects: they acknowledge that artificial turf surfaces do reach higher temperatures than grass, but state that they are not aware of any data suggesting that elevated temperatures on the surface of synthetic turf fields, tennis courts, basketball courts, etc. result in adverse impacts to wetlands.

Plastic and Particulate Pollution: they acknowledge that crumb rubber (and other plastic infills) can and do get kicked up by field players and can migrate from infilled fields under various storm-conditions, depending on the field design, location, and maintenance or lack thereof. Therefore proper design, siting, and maintenance are important for synthetic turf fields, just as they are for grass and soil sports fields.

Conclusion: they acknowledge that an abundant amount of information regarding both natural fields and synthetic turf fields indicate that each has their own advantages and disadvantages. However, with regard to wetland protections and climate resiliency, neither field type is either known or reasonably expected to pose significant risks.

Current:

Whereas this topic has generated a significant amount of attention, the current Town Manager, Sandy Pooler, provided a [memo](#) to the ConCom stating that for the remainder of his tenor (schedule to expire this summer) he would not approve the installation or construction of artificial turf fields and would further work with town staff to research this issue in more depth.

As a result, the ConCom has decided at this time to separate the prohibition of artificial turf from other proposed amendments to the Wetland's Bylaw.

Concurrently, resident Beth Melofchik and 10 other registered voters have submitted a warrant article for Town Meeting proposing a moratorium on construction or installation of any artificial or synthetic turf fields on Town owned land for a 3 year period. The moratorium proposed is from May 1, 2023 to May 1, 2026, and the purpose is to allow further study of the cost effectiveness, safety, and environmental impact. It further proposes to establish a study group to work on this.

Ms. Melofchik's proposed article was heard at a Selectboard Meeting earlier this month in which the Board voted unanimously to take "No Action". While this vote prevents the article as written from being presented to Town Meeting, it is very likely that a substitute motion will be made and the topic will be discussed and voted on.

In anticipation of this situation, the Town with the help of a facilitator and in conjunction with both the ConCom and Recreation Commissions will be holding a public discussion in May to educate community members and answer questions about the science of artificial turf. Christine Bongiorno and I have been participating in these planning meetings and have been asked to provide guidance from the Board of Health.

As such, I am asking the Board to consider this information and make a determination/generate a statement about the environmental health effects of artificial turf that can be presented by department staff at this public discussion in May.



Town of Arlington
Department of Health and Human Services
Office of the Board of Health
27 Maple Street
Arlington, MA 02476

Tel: (781) 316-3170
Fax: (781) 316-3175

Memo

To Arlington Board of Health Members

From: Natasha Waden, Public Health Director

Date: March 30, 2023

RE: Town Meeting Warrant Article #12 Presentation

As mentioned at our last Board of Health Meeting, there is a proposed warrant article (ARTICLE 12) to be presented at the upcoming Town Meeting to see if the Town will vote to adopt a three year moratorium on the installation of artificial turf field on Town land.

The proponent of the warrant, Ms. Beth Melofchik has expressed interest in presenting this information to the Board of Health in hopes that the Board will support this article. Earlier this month, Ms. Melofchik and others supporting the warrant article presented to the Arlington Select Board. The Select Board voted, unanimously, to take "No Action" on the article.

Despite a "No Action" vote from the SelectBoard, Ms. Melofchik and her group are planning to propose a substitute motion at Town Meeting and therefore would like to move forward with their presentation to the Board of Health.

Enclosed please find the supporting documents that she has forwarded to our Office.

Re: Article 12 Artificial Turf Moratorium

Beth Melofchik <tankmadel@yahoo.com>

Wed 3/29/2023 2:39 PM

To: Natasha Waden <nwaden@town.arlington.ma.us>

Cc: Padraig Martin <pmartin@town.arlington.ma.us>

 1 attachments (267 KB)

4.11.2023. webinar, PFAS_ The Forever Chemicals .pdf;

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Natasha,

Yes, absolutely. Thank you.

We are working on a Substitute Motion for Article 12 to create a study committee on Artificial Turf regarding health and environmental hazards and to have a pause for up to 2 years while the committee completes their report. Arlington High School is exempted due to pre-existing conditions.

PFAS, other chemicals, heat, are among the concerns with artificial turf. When considering cost, playing time, maintenance, natural grass is a better solution. Winchester ceases play on artificial turf when the air temp hits 90F. That would have meant almost an entire month last summer.

With properly constructed natural grass fields, with drainage they needn't be muddy. It takes 10,000 gallons of water to cool a plastic field for 20 minutes. Not cost effective.

I've attached information regarding a PFAS webinar the Brookline Dept of Health is cosponsoring.

Kind regards,
Beth Melofchik

PFAS: The Forever Chemicals (webinar)

Sponsored by Brookline Mothers Out Front and Brookline Department of Public Health & Human Services

Co-sponsors: Brookline Rotary and Friends of Brookline Public Health
APRIL 11, 2023 AT 7:00 PM VIA ZOOM

- PFAS are a group of extremely persistent human-made chemicals found in water, soil, and humans.
- Exposure to PFAS has been linked to serious health problems.

Join the discussion featuring:

Bernays

WENDY HEIGER-BERNAYS, PH.D

Dr. Heiger-Bernays is a clinical professor in the Department of Environmental Health at Boston University's School of Public Health. She currently serves as a member of the MA Science Advisory Board for the Toxics Use Reduction Institute and the USEPA Science Advisory Committee on Chemicals.

SIGALLE REISS, Director of Brookline Public Health & Human Services

ALISA G. JONAS, Moderator's Committee on PFAS

Moderated by: **LOUISE BOWDITCH**, Mothers Out Front

Here's the sign up link to Register in advance: [Webinar Registration - Zoom](#).

Webinar Registration - Zoom

On Wednesday, March 29, 2023 at 10:36:21 AM EDT, Natasha Waden <nwaden@town.arlington.ma.us> wrote:

Good Morning Beth,

I just wanted to follow up with you to see if you are still interested in presenting to the Arlington Board of Health on your proposed warrant article. Our next meeting will be next Wednesday April 5th at 2pm. Please let me know if you are still interested in presenting.

Thank you,

Natasha

Natasha Waden, MPA
Public Health Director

Email: nwaden@town.arlington.ma.us
Phone: 781-316-3170

Town of Arlington
www.arlingtonma.gov

From: Beth Melofchik <tankmadel@yahoo.com>
Sent: Thursday, March 9, 2023 9:42 AM
To: Natasha Waden <nwaden@town.arlington.ma.us>
Subject: Fw: Article 12 Artificial Turf Moratorium

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Board of Health

Hi Natasha,

Please let me know when I can address the Board and whether you have any questions.

Kind regards,
Beth Melofchik

Select Board March 13 Zoom in and support this article, please, or write to your Select Board

ARTICLE 12 VOTE/THREE-YEAR MORATORIUM ON THE INSTALLATION OF ARTIFICIAL TURF ON TOWN LAND

To see if the Town will vote to adopt a moratorium by bylaw or otherwise, on the construction or installation of any artificial or synthetic turf on any land owned by the Town for a three-year period beginning on May 1, 2023 and ending on May 1, 2026 to allow further study of the cost effectiveness, safety, environmental impact; and further to establish a study group to conduct such study, and set forth the membership of same; or take any action related thereto.

(Inserted at the request of Beth Melofchik and ten registered voters)

----- Forwarded Message -----

From: Beth Melofchik <tankmadel@yahoo.com>

To: sbadmin@town.arlington.ma.us <sbadmin@town.arlington.ma.us>; Ashley Maher <amaher@town.arlington.ma.us>

Sent: Thursday, March 9, 2023 at 09:00:26 AM EST

Subject: Article 12 Artificial Turf Moratorium

Please enter into the record Arlington Select Board

Dear Select Board,

Mr. Pooler's ban on artificial turf until July 2023 leaves our community, our environment, vulnerable to additional plastic sports fields. Advocates of plastic sports fields have included in Arlington's Land Management Plan the following: "Consider converting natural grass fields to artificial turf." P 290 and P 295 "Where appropriate consider converting existing natural turf field to synthetic turf to allow increase in usage rates."

<https://www.arlingtonma.gov/home/showpublisheddocument/63856/63810948153780000>

Please allow discussion and vote at Town Meeting on Article 12 otherwise the stage has been set to allow additional plastic sports fields.

Allowing the use of Artificial Turf is at odds with the environmental-protection decisions Arlington has made over the last few years:

- We banned stores from using plastic shopping bags.
- We banned fossil fuel connections in new construction
- We banned the sale of plastic 1 liter water bottles
- We strengthened protections for trees
- We eliminated the use of polluting, gas-powered leaf blowers (to reduce noise, but reducing fossil fuel emissions as well)

We know the health and environmental hazards of artificial turf.

Artificial turf contains the forever chemicals called PFAS, or per- and polyfluoroalkyl substances. Plastic grass cannot be manufactured without using PFAS which allows the plastic to pass through the extruder to create the "blades" of artificial grass. Any company who promises PFAS-free artificial turf is mistaken. In 2020 Portsmouth, NH, was promised a PFAS-free artificial turf field and after it was installed PFAS was found in the plastic field. There are NO safe levels of PFAS.

[PFAS expert tips: How to reduce your exposure to harmful 'forever chemicals' | WBUR News](#)

The following is a quotation from Public Employees for Environmental Responsibility, PEER:

"Virtually every PFAS studied for toxicity is associated with adverse health effects ranging from thyroid dysfunction, delayed puberty, obesity, osteoarthritis, liver problems, immune disorders, kidney problems, decreased vaccine response in children, more severe cases of Covid-19, to cancer. Research also shows human exposure to PFAS can occur through inhalation and ingestion, as well as direct dermal exposure."

PFAS and other chemicals in plastics are polluting our drinking water and air. These chemicals bioaccumulate with deadly consequences. Arlington is in the Mystic River Watershed. Runoff from sports fields across town ends up in the waterways. As of 2022, the EPA requires permits for previously unregulated stormwater discharges in Massachusetts. [EPA Implements Advanced Effort to Protect Water Quality in Three Boston-area River Watersheds | US EPA](#)

Artificial turf cannot be recycled, nor can it be made from recycled plastic. Anyone who says otherwise is misinformed. All over the world artificial turf is dumped and stored in remote areas and in environmental justice neighborhoods where it leaks toxic microplastics and chemicals into the waterways and soil. In the US it is accumulating in Luzerne County Pennsylvania. There are no plastic turf recycling facilities in the United States.

[Artificial Turf's Big Lie: Old Fields Not Recycled - PEER.org](#)

Artificial turf can become as hot as 200 degrees on a hot summer day. Plastic sports fields are heat islands. Natural grass absorbs CO2.

Everything associated with Artificial Turf goes against Arlington's Climate Action Plan and the achievements I listed earlier. Artificial Turf off gases methane and ethylene into our air and water and contributes large amounts of CO2 emissions to our environment.

At a time when Arlington is working hard to reduce the carbon footprint of our public and private buildings why would we seek to laminate sports fields with plastic. Natural grass does the opposite of plastic. It absorbs CO2. Springfield, MA shows that organically managed grass sports fields are competitive with playing times for plastic fields.

[Natural+Grass+Playing+Field+Case+Study+Springfield+MA.+June+2019.pdf \(turi.org\)](#)

As we pride ourselves on the reduction of solid waste in Arlington and our single-use plastic shopping bag ban, let's not consider additional plastic sports fields. The manufacture of one plastic turf field uses the equivalent of 4,800,000 plastic bags or 69,000,000 plastic straws. Mr. Poolers moratorium expires July 2023.

Please allow Town Meeting the opportunity to review and discuss the merits of a moratorium on artificial turf.

Sports fields should not determine environmental policy. Plastic sports fields near wetlands seem to violate new EPA regulations. Plastic sports fields have too many known unintended consequences. Please afford the community the time to research and discuss options.

Properly installed and organically managed grass fields exist and can be maintained without using toxic chemicals. Grass fields help to cool communities, they protect our athletes from toxins. They are sustainable. Chip Osborne Organics is a New England-based company that specializes in organic playing fields. <https://osborneorganics.com/about-chip-osborne-jr/>. Wayland and Sharon have placed moratoriums on Artificial turf because of the environmental and human health risks associated with it.

Springfield, MA, successfully uses organic grass fields with adequate playing time.

Why would Arlington do any less?

The claim that Artificial Turf is "less expensive" than real grass can be challenged based on data.

Artificial Turf is much more expensive to install than real grass. But the claim that it is much cheaper to maintain over its useful lifetime may not, in fact, be true. And claims that Artificial Turf can be "recycled" when it needs replacing is not true. Let's not laminate the environment, the cost is too high. Let's reduce not increase our children's exposure to unnecessary heat, injury, and chemicals.

Sports fields should not determine environmental policy nor should a town manager position in flux.

Please allow Town Meeting to consider what is best for the community.

Respectfully,
Beth Melofchik

Artificial Turf and Children's Health

Sarah Evans, PhD MPH

Institute for Exposomics Research

Department of Environmental Medicine and Public Health

Icahn School of Medicine at Mount Sinai

June 28, 2022



**Mount
Sinai**

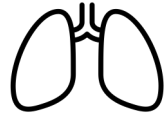
Chronic diseases are on the rise

Your lifetime risk has doubled or tripled for many common diseases in the past 20 years



1 in 10

Alzheimer's Disease



1 in 12

Asthma



1 in 44

Autism



1 in 3 / 2

Cancer in Women/Men



1 in 12

Cardiovascular Disease



1 in 6

Developmental Disabilities



1 in 10

Diabetes



1 in 10

Food Allergy



1 in 10

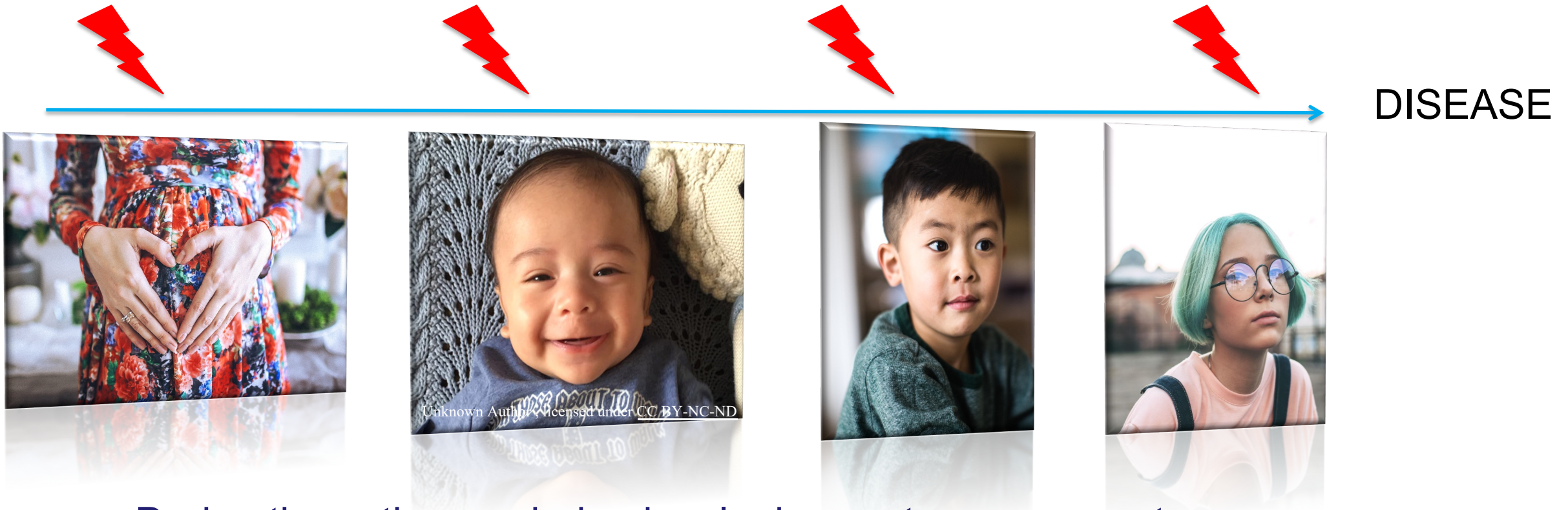
Infertility in Couples

Overview

- Vulnerable populations
- Chemicals of concern
- Heat
- Injuries and abrasions
- Tips for safer play

Windows of Susceptibility

Not just *what*, but *when*



During these time periods, developing systems are most sensitive to certain environmental toxins.

Children are not little adults



This Photo by Unknown Author is licensed under CC BY-NC

GREENPEACE

Our Chemical Body Burden



- 200+ chemicals
- Some exposures higher in children
- Higher exposures in Black and Hispanic participants
- Chronic, low-dose + cumulative
- Clinical relevance?

<https://www.cdc.gov/nchs/nhanes/>

Chemicals of Concern in Turf

Carcinogens

- Benzene
- PAHs
- Styrene
- Cadmium
- Arsenic
- PFAS
- VOCs

Neurotoxicants

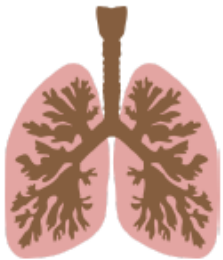
- Lead
- Zinc
- Phthalates
- VOCs

Reproductive Toxicants

- Phthalates
- Plasticizers

Respiratory Irritants

- VOCs
- Particulate matter
- Silica



Inhalation of chemicals
and particles

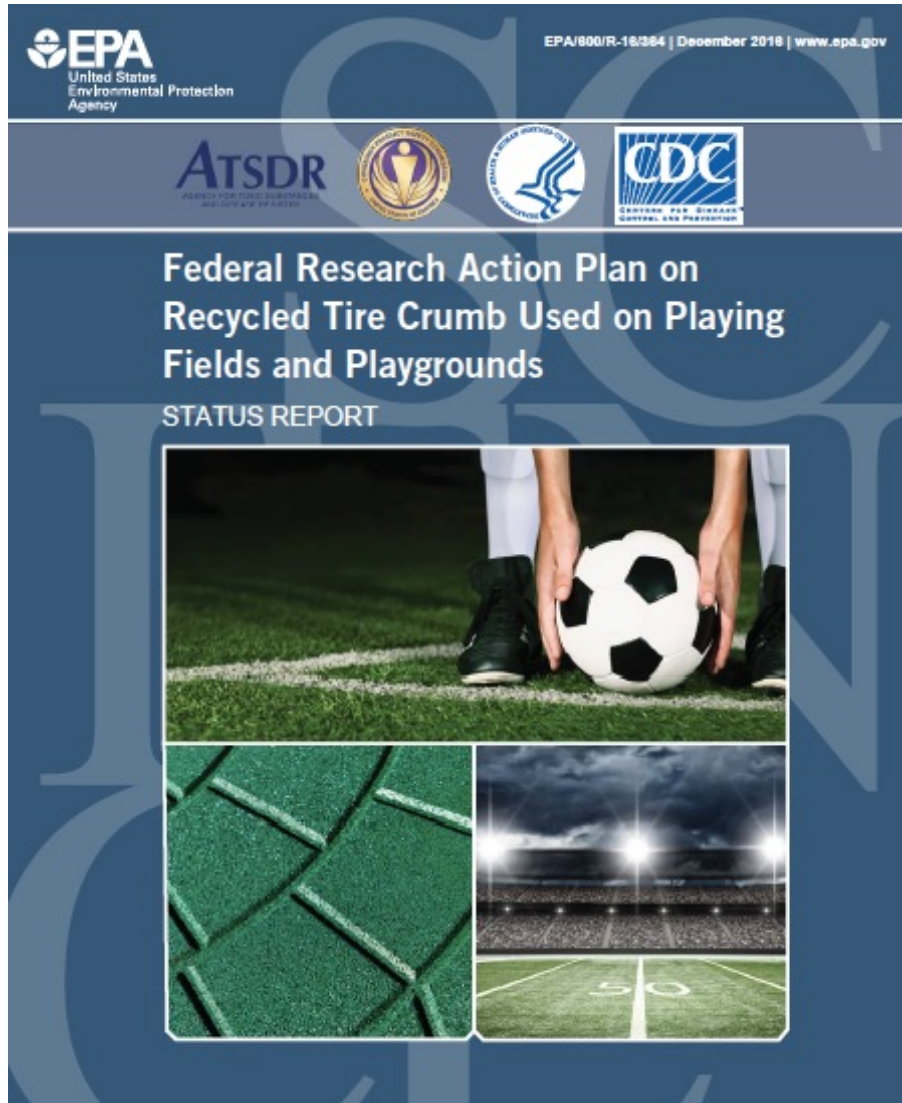


Dermal contact and absorption
through the skin or open wounds



Ingestion of turf infill particles

Federal Turf Study



“Studies to date...have limitations and do not comprehensively evaluate the concerns about health risks from exposure to tire crumb rubber.”

Alternative Infills Contain Chemicals of Concern

Table 1. Comparing Tire Crumb With Alternative Infills: Selected Categories of Chemicals of Concern.^a

Category	Tire crumb	EPDM	Shoe materials ^b	TPE	Acrylic-coated sand	Mineral- or plant-based
VOCs	Present ^c	Present; lower in some cases, higher in others ^d	Expected to be present but subject to RSL	Present, lower ^e	Expected to be low or absent	Expected to be low or absent ^f
PAHs	Present ^c	Present, lower ^d	May be present but subject to RSL	Present, lower ^e	Below detection limit ^g	Expected to be low or absent ^f
PAHs (TURI sample) ^h	Present, highest	Present, lower ^{L1}	Present, lower ^{L1}	Present, lowest ^{L2}	Present, lowest ^{L2}	Present, lowest ^{L2}
Phthalate esters	Present ^c	Present, lower ^d	May be present but subject to RSL	Present ^e	Expected to be absent	Expected to be absent
Vulcanization compounds ⁱ	Present ^c	Expected to be present	Expected to be present	Expected to be absent	Expected to be absent	Expected to be absent
Vulcanization compounds: benzothiazole only (TURI sample) ^h	Present, highest	Present, lowest detected ^{L3}	Present, lower ^{L1}	Not detected	Not tested	Not tested
Lead ^j	Present, wide range of values documented in the literature ^c	Present, lower in some cases, higher in others ^{d,i}	Present	Present	Below detection limit ^g	Below detection limit in some cases
Other metals ^j	Present	Present	Present	Present	Present ^g	Present in some cases
Fungi, allergens, or other biologically active dusts	Not known to be present	Not known to be present	Not known to be present	Not known to be present	Not known to be present	May be present in some plant-based materials
Pulmonary fibrogenic dusts (crystalline silica or respirable fibers)	Not known to be present	Not known to be present	Not known to be present	Not known to be present	Not known to be present	May be present in some mineral-based materials ^k

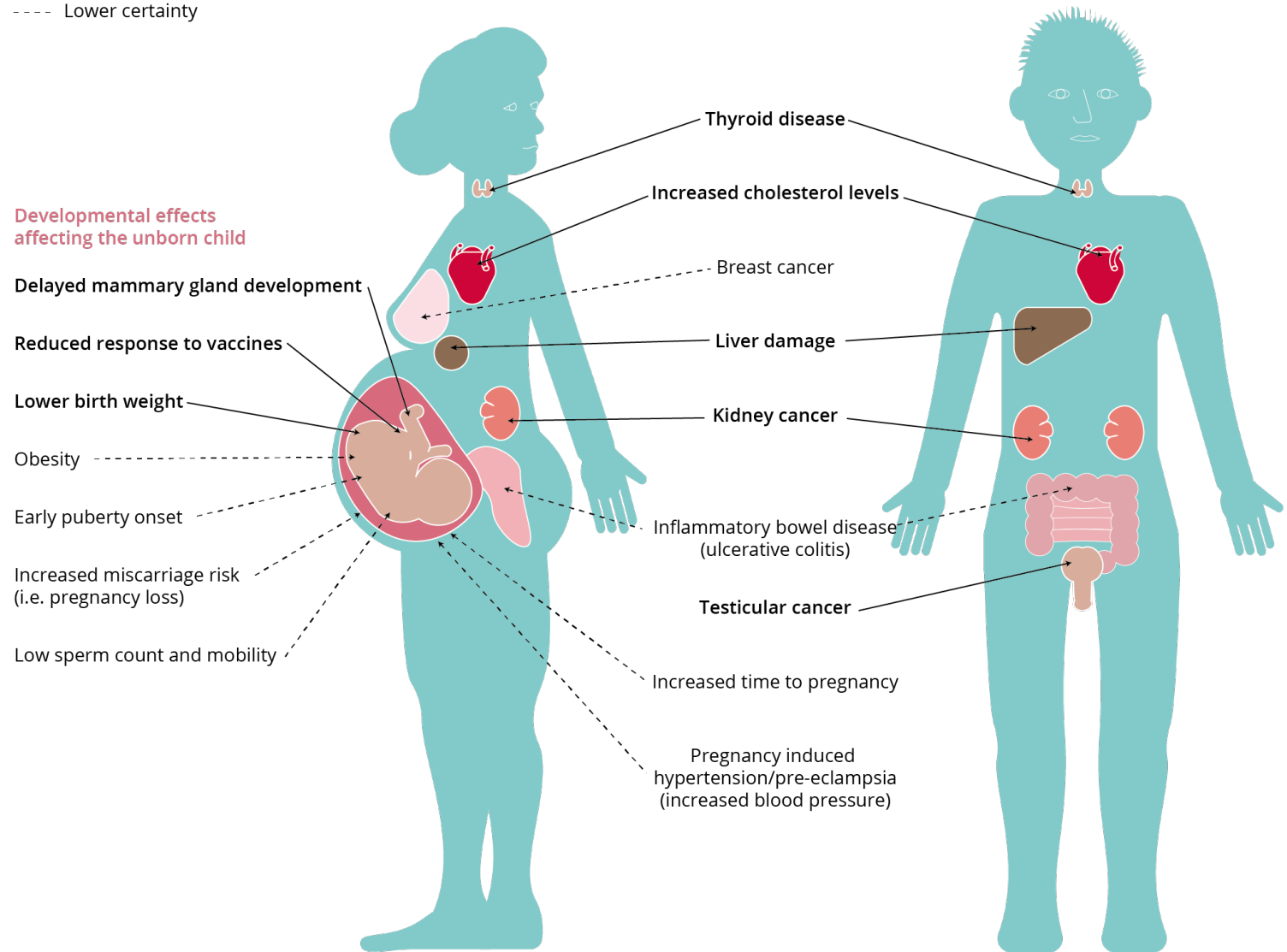
Massey et al. Artificial Turf Infill: A Comparative Assessment of Chemical Contents. *NEW SOLUTIONS: A Journal of Environmental and Occupational Health Policy*. 2020, Vol. 30(1) 10–26.

See also Armada et al. Global evaluation of the chemical hazard of recycled tire crumb rubber employed on worldwide synthetic turf football pitches. *Science of the Total Environment* 812 (2022) 152542.

Non-infill exposures: PFAS

- High cholesterol
- Thyroid disease
- Ulcerative colitis
- Cancer
 - Kidney
 - Testicular
- COVID-19 severity
- Immune dysfunction
 - Decreased vaccine response
- Impaired neurodevelopment
- Pregnancy outcomes

— High certainty
- - - - Lower certainty



PFAS: Research to Action

Senate Bill S439A

SIGNED BY GOVERNOR

2019-2020 Legislative Session

Relates to reducing the use of PFAS chemicals in firefighting activities

Senate Bill S8817

SIGNED BY GOVERNOR

2019-2020 Legislative Session

Relates to the use of perfluoroalkyl and polyfluoroalkyl substances in food packaging

Senate Bill S1759A

SIGNED BY GOVERNOR

2021-2022 Legislative Session

Relates to establishing a list of emerging contaminants

Assembly Bill A8491

2021-2022 Legislative Session

Phases out the sale of products that contain intentionally added PFAS

Senate Bill S6291

2021-2022 Legislative Session

Prohibits the use of perfluoroalkyl and polyfluoroalkyl substances in common apparel

News Releases: [Headquarters](#) | [Water \(OW\)](#)

[CONTACT US](#)

EPA Announces New Drinking Water Health Advisories for PFAS Chemicals, \$1 Billion in Bipartisan Infrastructure Law Funding to Strengthen Health Protections

Agency establishes new health advisories for GenX and PFBS and lowers health advisories for PFOA and PFOS

June 15, 2022

Interim Drinking Water Lifetime Health Advisories*:

PFOS: reduced from 70 ppt to 0.02 ppt

PFOA: reduced from 70 ppt to 0.004 ppt

GenX: 10 ppt

PFBS: 2000 ppt

**Non regulatory, non enforceable*

Emerging Concern: Microplastics



Microplastics in house dust. Credit : Universiteit Utrecht



- Indoor & outdoor air
- Tap and bottled water
- Seafood
- Inhale and ingest 5g/week
- Lung, blood, placenta
- Health effects may include:
 - Inflammation
 - GI problems
 - Obesity/metabolic disorders
 - Respiratory problems
 - Immune dysruption
 - Endocrine disruption

Heat effects of turf



Thermal effect. An image taken 14 August 2002 by NASA's Landsat satellite (left) shows surface temperatures in upper Manhattan (red indicates warm temperatures, and blue indicates cool temperatures). A large synthetic turf field created high temperatures similar to those on a large black roof (see Google Earth image, right). Cool spots almost always correspond to urban vegetation, such as parks, street trees, and water bodies.

- Surface temperatures up to 200°F
 - 50°F higher than natural grass
 - 70°F hotter than air temp
- Increased air temperature at head height
- Watering provides limited cooling

Surface Temperature in Turf Field and Playgrounds

Crumb Rubber Infill Turf Field

Ambient temperature: 80°F

Surface temperature: 101.9°F

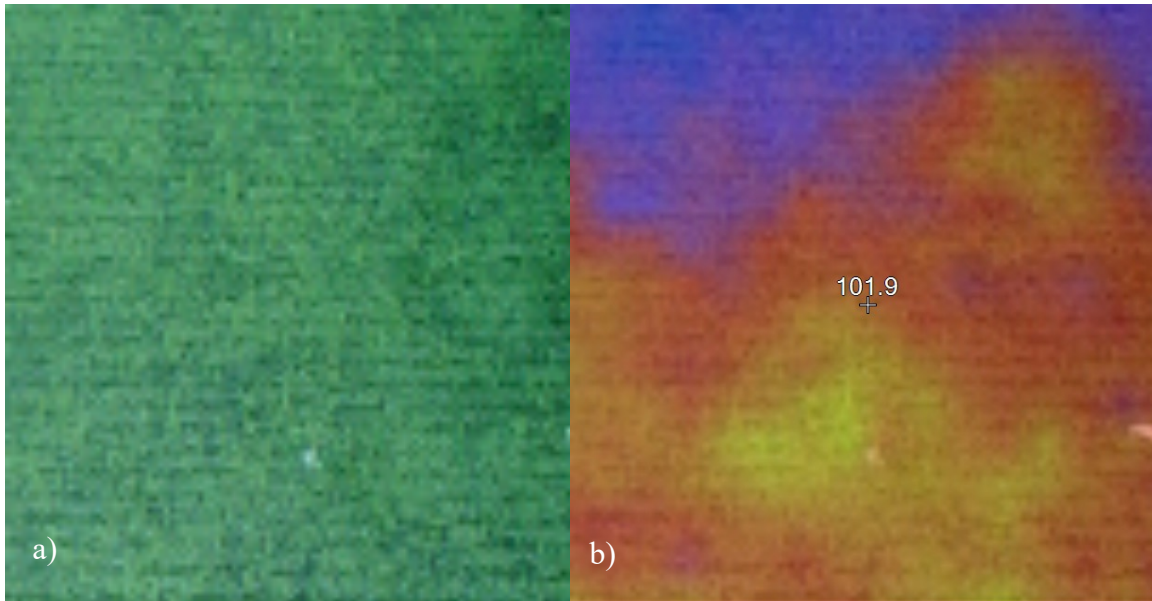


Figure. Measurement of Crumb rubber Turf Field Surface Temperature with Infrared (IR) Thermometer: a) Image of crumb rubber playground surface; b) IR Thermal image of surface. Ambient temperature: 80°F

Crumb Rubber PIP Playground

Ambient temperature: 85°F

Surface temperature: 157.4°F

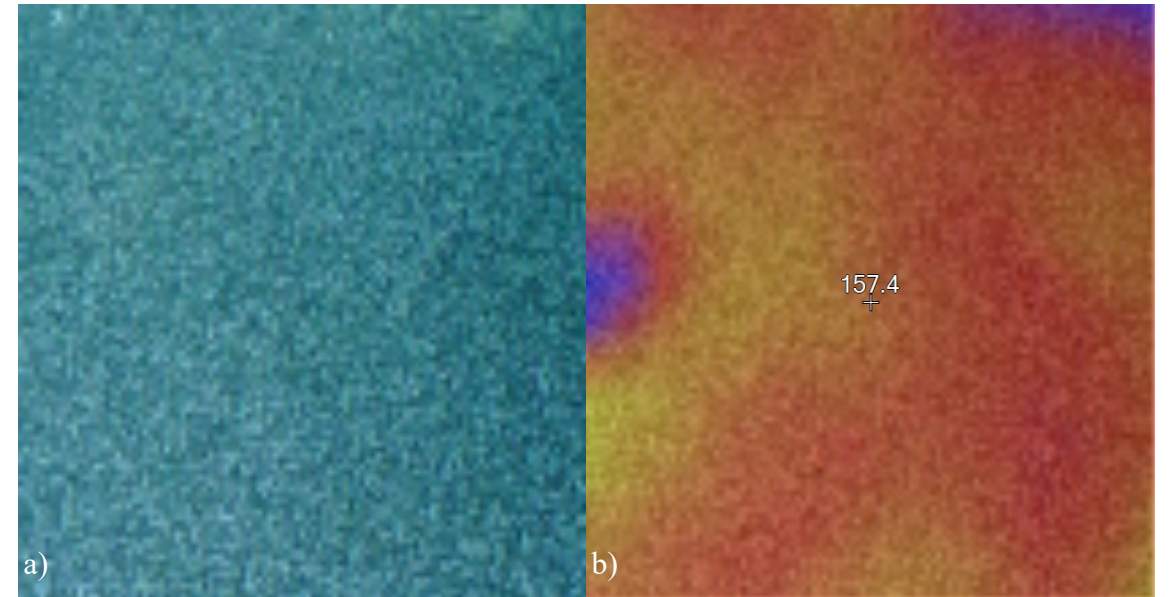


Figure. Measurement of Playground Surface Temperature with Infrared (IR) Thermometer: a) Image of crumb rubber playground surface; b) IR Thermal image of surface. Ambient temperature: 85°F

Courtesy: Homero Harari, Mount Sinai

Health effects of hot turf

- Heat illness

- #1 cause of death and disability in high school athletes
- Football players most impacted
- Marching bands also at risk

- Skin burns

- 1st degree: 118°F
- 2nd degree: 131°F



Injuries and Abrasions

- Knee injuries
 - ACL, PCL
- Concussion
 - Temperature and maintenance are key
- “Turf burn”
 - Skin abrasion
 - May increase risk of chemical exposures
 - Increases risk of infection include MRSA



INSIDER

NFL stars started a petition to ban artificial turf in football after Odell Beckham's Super Bowl injury

Jackson Thompson

February 14, 2022 · 4 min read

In this article:



San Francisco 49ers
NFL | 3rd NFC West | 10-7-0



Los Angeles Rams
NFL | 1st NFC West | 12-5-0



Odell Beckham Jr.
WR | WFL



<https://sports.yahoo.com/nfl-stars-started-petition-ban-174717471.html>

Indirect health effects: climate change

- Heat islands
- Flooding
- Petroleum-based
- Greenhouse gas emissions



Extreme heat increases risk of illness and dehydration.



Poor air quality due to increased pollutants and pollen worsen asthma and other breathing and heart problems.



Warmer temperatures promote the growth of bacteria, viruses, and insects.



Extreme weather causes injuries, missed work and school, and mental health issues.



Food supply problems cause malnutrition.

Tips for Safer Play



Westport, CT

- Post **safety warnings**
- **Avoid** use on **hot days**; measure surface temperature, create a plan
- **Avoid** lounging and **passive activities**
- **Wash hands** before touching face/eating
- **Clean cuts** immediately
- Remove and **shake out gear** and clothes
- Brush hair and **shower** ASAP
- **Monitor** for ingestion
- **Vacuum** any infill that enters your home or car
- **Ventilate** indoor fields

Be a Smart Consumer

- Consider properly maintained grass fields
- Consider wood mulch or pea gravel on play grounds
- Be aware of Greenwashing
- Look for transparency
 - Composition
 - Hidden costs
 - Maintenance chemicals
- Consider the site
 - Wetlands?
 - Residential?
 - Shade?
 - Environmental Justice community?



Appropriate Surfacing

- Any material tested to ASTM F1292, including unitary surfaces, engineered wood fiber, etc.
- Pea gravel
- Sand
- Shredded/recycled rubber mulch
- Wood mulch (not CCA-treated)
- Wood chips

<https://www.cpsc.gov/s3fs-public/325.pdf>

The Partnership for Healthy Playing Surfaces

[Home](#)[Chemicals](#)[Health](#)[Environment](#)[Science](#)[Comparisons](#)

For Players & Coaches

[Learn more](#) about different playing field surfaces and how they can affect your performance and safety.



For Parents

The choice of playing field surfaces can have implications for your child's future. [Learn more.](#)



For Policy Makers

A wide range of health and cost issues should be considered in the choice of playing field surfaces. [Learn more.](#)



For Medical Professionals

The materials used to construct playing field surfaces can present significant health risks. [Learn more.](#)



Icahn School
of Medicine at
Mount
Sinai



GRASSROOTS
ENVIRONMENTAL EDUCATION



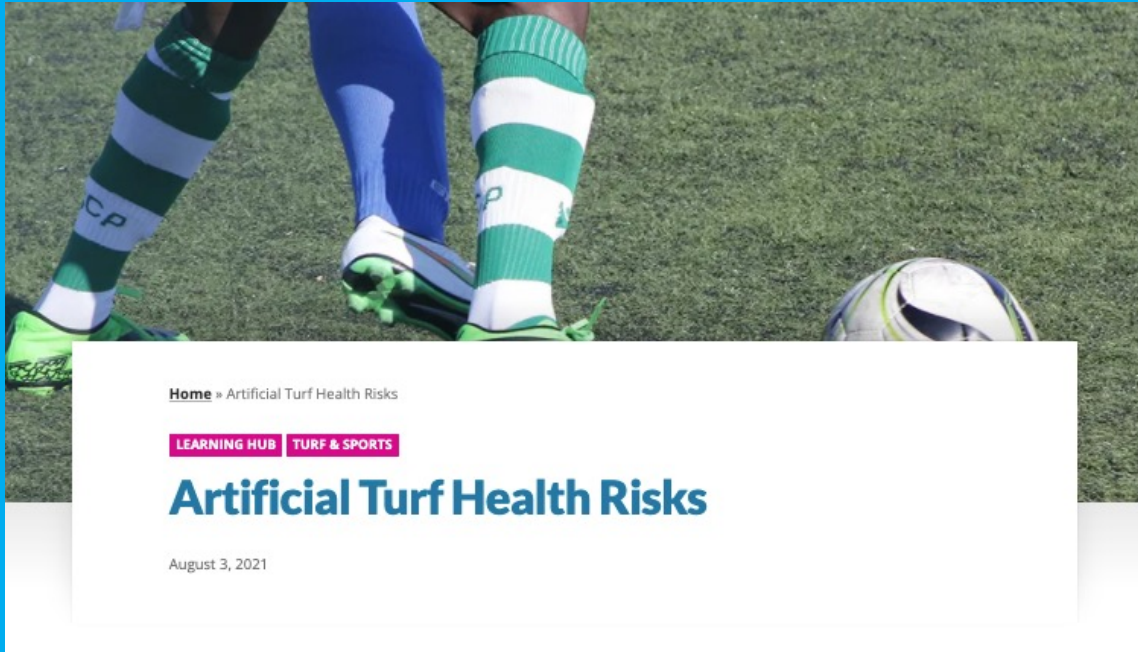
CLEAN
WATER
ACTION



<https://www.healthyplayingsurfaces.org/>

Learn More

<https://sinaisexposomics.org/artificial-turf/>



Many turf products are available or “ecofriendly”, but it can be difficult for children. Read this entry to learn more and understand what the potential health risks may be.



Position Statement on the use of Recycled Tires in Artificial Turf Surfaces

Position: Based upon the presence of known toxic substances in tire rubber and the lack of comprehensive safety studies, The Children’s Environmental Health Center of the Icahn School of Medicine at Mount Sinai urges a moratorium on the use of artificial turf generated from recycled rubber tires.



Children's Environmental Health Center
Department of Environmental Medicine and Public Health
Icahn School of Medicine at Mount Sinai
One Gustave L. Levy Place, Box 1057
New York, NY 10029-6574

Artificial Turf: A Health-Based Consumer Guide

If your school, community, or business is considering installing an artificial turf field, it’s important to be an educated consumer. Many turf products are available and some are even advertised as “green” or “eco-friendly”, but it can be difficult to assess their safety for use by children because adequate risk assessment studies that assess all potential routes of exposure during realistic play conditions have not been conducted. This guide will help you dig deeper than the label on the packaging to learn what chemicals these products contain, how children may be exposed to these chemicals, and understand what the potential health risks may be.

This Guide will:

- 1) Describe turf infill options and chemicals of concern.
- 2) Identify how children can be exposed to these chemicals.

artificial turf products.
(the chemicals you want to hear).



@SinaiExposomics

@NYSCHECK
@R2PEHSU

BPA and Phthalates

CHILDREN'S ENVIRONMENTAL HEALTH CENTER at the MOUNT SINAI INSTITUTE FOR EXPOSOMIC RESEARCH

Bisphenol A (BPA) and phthalates are chemicals that are added to some plastics.

Household Chemicals: Keeping Your Family Safe During COVID-19

Proper cleaning, disinfecting, and handwashing are important to prevent transmission of COVID-19. However, chemicals in some products can be harmful to your health. Protect your family from both COVID-19 and chemical exposures by choosing safer products and practices.

Outdoor Air Pollution

Air pollution refers to harmful gases or particles in the air that come from both natural and man-made sources.

Artificial Turf

Synthetic or artificial turf is a multi-layer product used as a surface on athletic playing fields, golf courses, and residential lawns.

It typically consists of:

A top layer of fibers usually made of nylon, polypropylene, or polyethylene designed to mimic natural grass blades; infill that provides cushioning and serves as a base for the blades; a backing layer; a drainage layer; and additional padding in some applications.

Artificial turf poses a health risk to children through chemical exposures.

Chemicals known to be carcinogenic such as heavy metals, volatile organic compounds (e.g. benzene), polycyclic aromatic hydrocarbons, and 1,3-butadiene have been detected in turf infill made from recycled tires. Further study is needed to characterize the complete chemical composition of infill made from materials other than tires.

Exposure can happen through:



Inhalation of chemicals and particles



Dermal contact and absorption through the skin or open wounds



Ingestion of turf infill particles

Non-chemical exposures of concern to children are...



Heat: Turf surface temperatures can get up to 55°F higher than grass, and recorded as high as 200°F on a summer day.



Turf burn: Playing on artificial turf has been shown to result in more skin abrasions than grass.

Glyphosate

Glyphosate is a weed killer, or herbicide. It is the most extensively used pesticide in the world today for both residential and agricultural purposes.

HOW ARE WE EXPOSED TO GLYPHOSATE?

Glyphosate can be absorbed through the skin, inhaled, or ingested. Glyphosate can also be absorbed through the eyes, nose, and mouth.

WHO IS MOST AT RISK?

Children are at highest risk for exposure due to their proximity to the ground where they play.

Children are also at risk for exposure due to their tendency to put things in their mouths.

Children are also at risk for exposure due to their tendency to play in grassy areas.

Children are also at risk for exposure due to their tendency to play in areas where pesticides are used.

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Pesticides

Pesticides repel or kill unwanted pests such as insects (insecticides), rodents (rodenticides), fungi (fungicides), and weeds (herbicides). All pesticides have the potential to be toxic to humans. Pesticides sold in the United States must be registered with the Environmental Protection Agency (EPA).

HOW ARE WE EXPOSED TO PESTICIDES?

We can be exposed to pesticides through:

• Food and beverages: Pesticides can seep out of plastic containers and be ingested.

• Cosmetics and cleaning products: Soaps, lotions, makeup, cleaning supplies, air fresheners, and other household products that contain fragrance are likely to contain phthalates.

• Flame retardants: Flame retardants are chemicals added to a number of products to meet regulatory standards for a product's ability to resist catching on fire. However, mounting evidence demonstrates that many of these chemicals are not effective at preventing fires. Furthermore, recent studies suggest that human health risks associated with flame retardants may outweigh their benefits.

• Phthalates: Phthalates are chemicals added to plastics to make them more flexible and to cosmetic and personal care products to help retain fragrance and color.

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WHO IS MOST AT RISK?

Children are at highest risk for exposure due to their proximity to the ground where they play.

Children are also at risk for exposure due to their tendency to put things in their mouths.

Children are also at risk for exposure due to their tendency to play in grassy areas.

Children are also at risk for exposure due to their tendency to play in areas where pesticides are used.

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HOW ARE WE EXPOSED TO FLAME RETARDANTS?

Flame retardant chemicals are released from everyday items that contain them and can then accumulate in house dust. Exposures are increased when foam is damaged or exposed. Flame retardant chemicals persist in the environment and accumulate in fatty tissues, which means they stay in the body for years. For these same reasons, animals may be exposed to flame retardants in the environment. Eating animal products can also be a source of exposure.

WHAT ARE THE HEALTH RISKS OF I'M EXPOSED?

Animal studies of exposure during the early life period suggest adverse effects on the developing brain and reproductive systems. Human studies are limited, but emerging evidence suggests that children exposed to flame retardants in utero or through breast milk may have increased risk of cognitive and behavioral problems. Some flame retardants are also suspected to cause cancer.

WHERE ARE FLAME RETARDANTS FOUND?

Flame retardant chemicals are found in many everyday items, particularly those that contain polyurethane foam. Products commonly treated with flame retardants include:

• Upholstered Furniture

• Carpet padding

• Baby products (e.g. car seats, changing pads, crib mattresses)

• Electronics

WHO IS MOST AT RISK FROM EXPOSURE?

Children are at highest risk for exposure due to their proximity to the ground where dust settles and their hand-to-mouth behaviors. Infants in homes with a greater number of infant products (e.g. infant swings, nursery gliders, bouncer seats, changing pads etc.) have higher levels of some flame retardant chemicals in their bodies.

Fetuses: Flame retardant chemicals have been shown to cross the placenta, and exposures during pregnancy are associated with hormonal, reproductive, cognitive, and behavioral changes in offspring in animal and human studies.

Firefighters are at particular risk to exposures by inhalation as many building supplies and furnishings are treated with flame retardants which are released in the form of toxic smoke when they burn.



<https://sinaiexposomics.org/learning-hub/>

<https://icahn.mssm.edu/about/departments/environmental-public-health/cehc/information>

Acknowledgments



Icahn School
of Medicine at
**Mount
Sinai**

*Institute for
Exposomic Research*



New York State **Children's**
Environmental Health Centers

**The Mount Sinai Environmental
Health Sciences (EHS) Core Center**
(P30ES023515)



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Office of the Town Manager**

**Sanford M. Pooler
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TO: Select Board

FROM: Sandy Pooler, Town Manager *SMP*

DATE: March 10, 2023

RE: Warrant Article 12: Vote/Three-year Moratorium on Installation of Artificial Turf on Town Land

There may be many people attending Monday night's Select Board meeting to discuss the Artificial Turf proposed warrant article. I thought I should give you an update on the issue and my position on the article.

I told Beth Melofchik that I will actively oppose this warrant article. I think there is no scientific basis for a three year moratorium. It is an arbitrary time period.

The water protection issues are in the purview of the Conservation Commission, the health issues are in the purview of the Health Department/Health Board, and the funding recommendation issues are in the purview of the Town Manager. Town Meeting should not try to usurp those powers/responsibilities.

The Conservation Commission and the Parks and Recreation Commission are sponsoring forum on artificial turf on April 11, where speakers from both sides of the issue will share their views. We hope to come to some common understanding of the issues and to learn more about what kind of artificial turf field, if any, we might propose for the Town.

I am hoping that the Town consider each field issues separately, based on conditions at the site, available alternatives for turf material, and environmental and recreational needs. While some people would very much like to build a turf field at Poet's Corner, I know that Joe Connelly is supportive of the need to build fields that do not harm the environment. The Health Department has started looking at some of the health related issues and I await its judgment. In January, I issued a statement that I would not put forward a proposal for a turf field while I was Town manager, to allow more study and public understanding. I am open to more turf fields in town and am also committed to protecting our environment.

Finally, I worry that a three year moratorium would not only block development of new turf fields but may also interfere with the installation of the new artificial turf fields at the High School. The high school fields were approved by the Conservation Commission under the condition that they pass various tests related to chemical emissions. The High School Building Committee is proceeding with that installation in accordance with the Conservation Commission's requirements. Action by Town Meeting would not be appropriate for a project that is already approved.

Pooler memo re: AT moratorium Arlington MA

Beth Melofchik <tankmadel@yahoo.com>

Fri 3/10/2023 1:19 PM

To: Natasha Waden <nwaden@town.arlington.ma.us>

 1 attachments (188 KB)

Article_12_Town_Manager_Memo.pdf;

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Natasha Waden
Arlington Board of Health

Dear Natasha,

Please, how do I convince the Select Board? I reached out to Jeff Thielman, School Committee. We can do as Concord did and exempt the high school.

If Sandy Pooler and Park and Rec think artificial turf is a viable option, the asbestos of the current era, then we do have work to do. Maybe not 3 years, but we have educating and informing to do.

All I am asking for is for Town Meeting to have the opportunity to endorse a pause in installation to allow for the relevant offices and committees the time to do a deep dive on the subject.

Any thoughts?

Respectfully,
Beth Melofchik

The Town Manager is opposing my article. I attach his memo to Select Board with reasoning.

[Artificial turf potentially linked to cancer deaths of six Phillies ball players – report | Cancer | The Guardian](#)

I purposely left the study committee up to the Select Board. I do not seek to micromanage. I seek to bring the right people to the table and to provide them with enough information to make informed decisions.

The Guardian article linked above is comprehensive and gives one pause.

ARTICLE 12 VOTE/THREE-YEAR MORATORIUM ON THE INSTALLATION OF
ARTIFICIAL TURF ON TOWN LAND

To see if the Town will vote to adopt a moratorium by bylaw or otherwise, on the construction or installation of any artificial or synthetic turf on any land owned by the Town for a three-year period beginning on May 1, 2023 and ending on May 1, 2026 to allow further study of the cost effectiveness, safety, environmental impact; and further to establish a study group to conduct such study, and set forth the membership of same; or take any action related thereto.

(Inserted at the request of Beth Melofchik and ten registered voters)



NATIONAL PUBLIC HEALTH WEEK
CENTERING AND CELEBRATING CULTURES IN HEALTH



PFAS: THE FOREVER CHEMICALS

TUESDAY, APRIL 11, 2023
7:00 PM VIA ZOOM

REGISTER TODAY

<https://tinyurl.com/4k4psrum>

*Sponsored by Brookline Mothers Out Front and Brookline Department of Public Health & Human Services
Co-sponsors: Brookline Rotary and Friends of Brookline Public Health*

- PFAS ARE A GROUP OF EXTREMELY PERSISTENT HUMAN-MADE CHEMICALS FOUND IN WATER, SOIL, AND HUMANS.
- EXPOSURE TO PFAS HAS BEEN LINKED TO SERIOUS HEALTH PROBLEMS



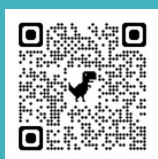
WENDY HEIGER-BERNAYS, PH.D

Dr. Heiger-Bernays is a clinical professor in the Department of Environmental Health at Boston University's School of Public Health. She currently serves as a member of the MA Science Advisory Board for the Toxics Use Reduction Institute and the USEPA Science Advisory Committee on Chemicals.

PANELISTS:

- Sigalle Reiss, MPH, RS/REHS, Director of Public Health & Human Services
- Alisa G. Jonas, Moderator's Committee on PFAS

MODERATOR: Louise Bowditch, Brookline Mothers Out Front



BROOKLINE DEPARTMENT OF PUBLIC HEALTH
WWW.BROOKLINEMA.GOV/NPHW
FOR INFO: LYNNE KARSTEN
LKARSTEN@BROOKLINEMA.GOV OR 617-730-2336

Artificial turf

jon@planetbanjo.com <jon@planetbanjo.com>

Mon 4/3/2023 9:23 AM

To: BOH <BOH@town.arlington.ma.us>

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As an abutter to Poet's corner I am following the Artificial Turf debate rather closely. While both sides of this issue are pretty dug in, I am still hoping for a compromise. And it seems like the obvious compromise would be natural turf. They'll get plenty of playing time, and not trigger contentious debate, true? The neighbors generally support the athletic field as a neighborhood amenity, and this might be the best use of this parcel. A 40B development would start a whole other debate about digging up the old dump, which is definitely tainted (if you remember back 20 years to the last time we had that discussion.).

Thank you, Jon Gersh, TMM P18, Kipling Road.

Sent from my iBanjo